

**LAIRDS AND GENTLEMEN: A STUDY OF THE LANDED FAMILIES
OF THE EASTERN ANGLO-SCOTTISH BORDERS C. 1540-1603.**

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ABBREVIATIONS

The abbreviations used in this thesis conform to the list in SHR, xlii (1963) supplement, and the Victoria History of the Counties of England Handbook for Editors and Authors, (London, 1970), unless specified as follows:-

<u>AA</u>	<u>Archaeologia Aeliana.</u>
ALN MS	Alnwick Manuscripts (Duke of Northumberland).
<u>APC</u>	<u>Acts of the Privy Council</u> , new series.
Bates, <u>Border Holds</u>	C. J. Bates, <u>The Border Holds of Northumberland.</u>
BIHR	Borthwick Institute of Historical Research.
<u>BIHR</u>	Bulletin of the Institute of Historical Research.
BL	British Library.
BRO	Berwick Record Office.
<u>BUK</u>	<u>Booke of the Universall Kirk</u> , Acts of the Proceedings of the General Assemblies.
Calderwood, <u>History</u>	<u>The History of the Kirk of Scotland by Mr David Calderwood.</u>
<u>CBP</u>	<u>Calendar of Border Papers.</u>
<u>CPR</u>	<u>Calendar of Patent Rolls.</u>
<u>CSP Dom Add</u>	<u>Calendar of State Papers Domestic Addenda.</u>
<u>CSP For</u>	<u>Calendar of State Papers Foreign.</u>
<u>CSP Spain</u>	<u>Calendar of State Papers Spanish.</u>
Chambers, <u>Domestic Annals</u>	R. Chambers, <u>Domestic Annals of Scotland.</u>
CHL CAS DOCS	Chillingham Castle Documents.
Colville, <u>Letters</u>	<u>Original Letters of Mr John Colville.</u>
Dalyell, <u>Fragments</u>	J. Dalyell, <u>Fragments of Scottish History.</u>
Douglas, <u>Baronage</u>	R. Douglas, <u>The Baronage of Scotland.</u>

DDR	Durham Diocesan Registry.
D & Ch Reg	Dean and Chapter Registers.
DPRW	Durham Probate Records Wills.
DRO	Durham County Record Office.
<u>EHR</u>	<u>English Historical Review.</u>
Forster, <u>Pedigrees</u>	J. Forster, <u>Pedigrees Recorded at the Herald's Visitation of Northumberland.</u>
Forbes-Leith, <u>Scots Guard</u>	W. Forbes-Leith, <u>The Scots Men-at-Arms and Life-Guards in France.</u>
Godscroft, <u>De Familia</u>	D. Home of Godscroft <u>De Familia Humia Wedderburnensi Liber.</u>
Godscroft, <u>History</u>	D. Home of Godscroft, <u>The History of the House and Race of Douglas and Angus.</u>
Hatfield MS	Hatfield Manuscripts (Marquis of Salisbury).
<u>HMC</u> , Third R.	<u>HMC</u> , Third Report.
<u>HMC</u> , Buccleuch	<u>HMC</u> , Fifteenth Report, appendix viii.
<u>HMC</u> , Hay of Duns	<u>HMC</u> , Various Collections, v.
<u>HMC</u> , Home	<u>HMC</u> , Twelfth Report, appendix viii.
<u>HMC</u> , Laing	<u>HMC</u> , Laing MS (University of Edinburgh).
<u>HMC</u> , Marchmont	<u>HMC</u> , Fourteenth Report, appendix iii.
<u>HMC</u> , Milne-Home	<u>HMC</u> , Col. Milne-Home of Wedderburn.
<u>HMC</u> , Roxburghe	<u>HMC</u> , Fourteenth Report, iii.
<u>HMC</u> , Rutland	<u>HMC</u> , Twelfth Report, appendix iv.
KA0	Kent Archives Office.
LAMB MS	Lambeth Palace Manuscripts.
Lesley, <u>History</u>	J. Lesley, History of Scotland, <u>STS</u> (1888).
<u>L&I</u>	<u>Lists and Indexes.</u>
MacGibbon and Ross <u>Architecture</u>	D. MacGibbon and T. Ross <u>The Castellated and Domestic Architecture of Scotland.</u>

Melville, <u>Diary</u>	<u>The Diary of Mr James Melville</u> (Wodrow Society).
Melville, <u>Memoirs</u>	<u>Memoirs by Sir James Melville of Halhill.</u>
Moysie, <u>Memoirs</u>	D. Moysie, <u>Memoirs of the Affairs of Scotland.</u>
MICK & SP MS	Mickleton and Spearman Manuscripts.
<u>NCH</u>	<u>Northumberland County History.</u>
<u>NH</u>	<u>Northern History.</u>
NLS	National Library of Scotland.
NRAS	National Register of Archives (Scotland).
NRO	Northumberland County Record Office.
<u>NRS</u>	<u>Newcastle Record Series.</u>
Ormiston, <u>History</u>	T.L. Ormiston, <u>The Ormistons of Teviotdale.</u>
<u>P&P</u>	<u>Past and Present.</u>
Pringle, <u>History</u>	A. Pringle, <u>History of the Pringles.</u>
Sharp, <u>Memorials</u>	C. Sharp, <u>Memorials of the Rebellion.</u>
Spottiswoode, <u>History</u>	J. Spottiswoode, <u>History of the Church of Scotland.</u>
<u>St A. Acta Facultatis</u>	<u>Acta Facultatis Artium Universitatis Sanctiandree</u>
<u>Stair Soc</u>	<u>Stair Society.</u>
<u>Stat</u>	<u>Statutes of the Realm.</u>
<u>SS</u>	<u>Surtees Society.</u>
SYON MS	Syon MS (Duke of Northumberland).
Tate, <u>Alnwick</u>	G. Tate, <u>A History of Alnwick.</u>
T&WAD	Tyne and Wear Archives Department.
Waus, <u>Correspondence</u>	<u>The Correspondence of Sir Patrick Waus of Barnbarroch</u>

CONVENTIONS

1. Placenames are those of the Ordnance Survey, or RSS if the location is now lost.
2. Personal names have been modernized and the Scottish names conform to G.F. Black, The Surnames of Scotland, (New York, 1946), with the exception of Aithchison, Hangingside, Mow, Robson and Spottiswoode.
3. Dates have been modernized e.g. 2 March 1560, rather than 2 March 1559/60.
4. Transcriptions are given as in the original documentation, with contractions expanded. Quotations from printed primary sources are given as printed.
5. Currency is £ Sterling, unless specified as £ Scots. The English mark and Scottish merk were both worth 13s 4d in their respective currencies.
6. All manuscripts cited are PRO or SRO unless given a prefix used in the abbreviations.
7. Printed primary sources are referred to by numbers, rather than pages. However page references are used if numbers are unavailable.
8. North Northumberland will always be referred to as (lower case n) north, so as not to be confused with North Durham, a county in its own right.
9. Titles are in the lower case, with the exception of Lord e.g. Lord Home, but the earl of Northumberland.

ABSTRACT

The main purpose of this thesis is to present a thematic and comprehensive study of the lairds and gentlemen of the Eastern Anglo-Scottish Borders from 1540 to 1603. The basic themes of this study embrace the social structures of the landed communities on both sides of the international frontier, their politics, wealth, education and culture, religion, disorders and cross-border relations. Comparison and contrast across the Border has been undertaken for all these themes.

This approach has illuminated how local Scottish and English societies functioned in the sixteenth and early seventeenth centuries. Strong kinship was prominent on both sides of the frontier and permeated all aspects of society, as well as affecting the interference of crown and court politics in these localities. Intermeddling from both centres of government disturbed the local communities, but the lairds and gentlemen remained in overall control of their local spheres of influence. They were the backbone of local government in the Eastern Borders for they dominated domestic offices, but they were also able to gain offices in the administration of the Borders. Their wealth, as far as this can be ascertained, was broadly similar and their standard of education and culture was at a higher level than has previously been acknowledged. The effects of the English and Scottish Reformations in the Eastern Borders were typified by a slow enforcement of Protestantism, but overt recusancy was much stronger in the Eastern English Borders where over 50% of the gentry were still Catholic in 1603. The disorders of this region have been exaggerated for they were, in reality, not untypical of landed society elsewhere in England and Scotland in the sixteenth century. Finally, the cross-border relations of the Eastern Borders indicate general familiarity and friendships between the landed families that were far-removed from the typical image of the Borderer as a violent cattle thief. The lairds and gentlemen were known to socialize amongst themselves with scant regard of the international frontier, as the river Tweed was not a physical barrier to communication. There was also a significant amount of trading across the Border in flesh, grain and horses. This activity was often regarded as illegal in both Scotland and England, but it was beneficial to the lairds and gentlemen and therefore thrived under their protection.

DECLARATION

I declare that this thesis is entirely my own work and that no part of it has been published in its present form.

SIGNED.....

MAUREEN M. MEIKLE

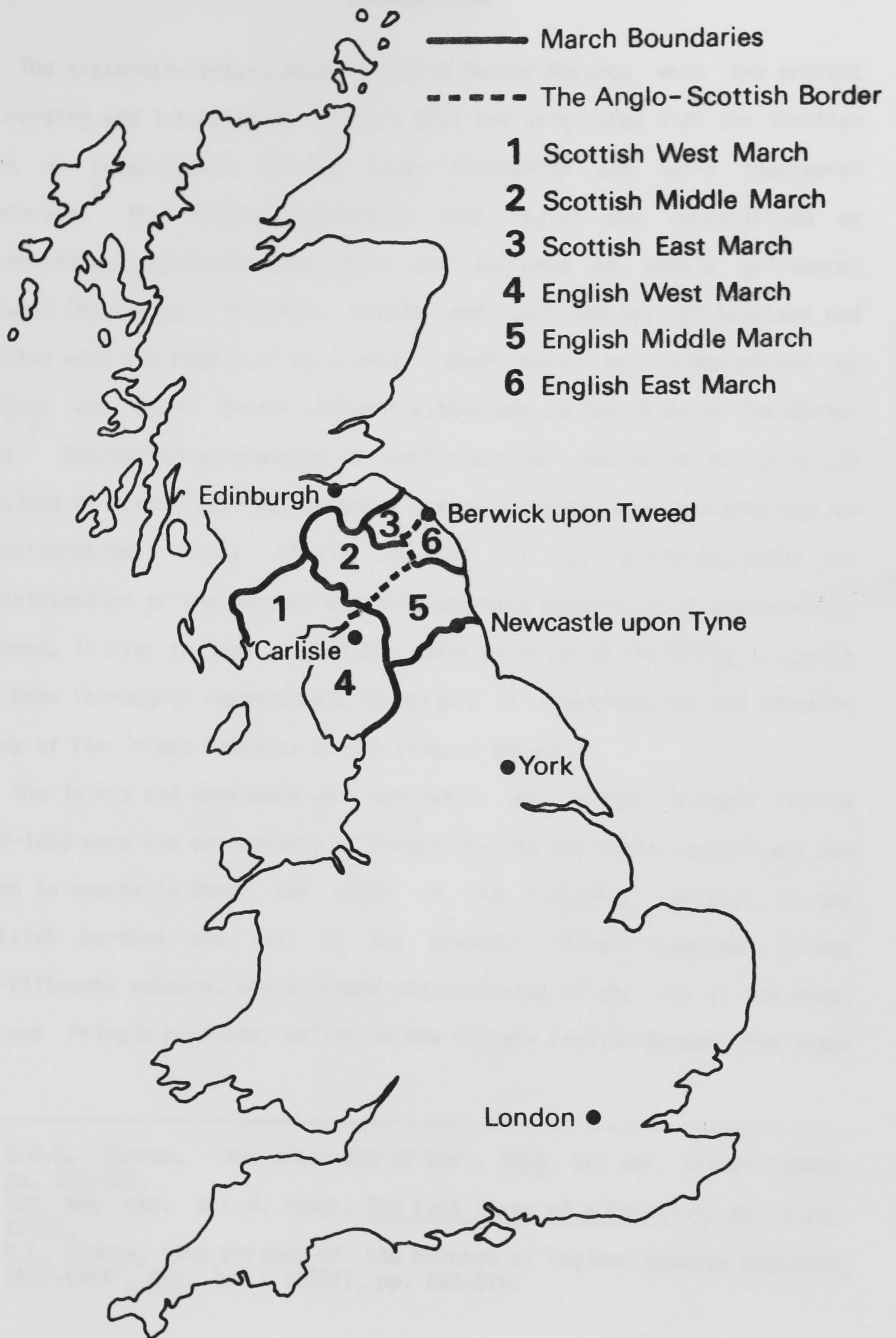
ACKNOWLEDGEMENTS

I would like to thank the staff of the Public Record Office, the Scottish Record Office, the British Library and the National Library of Scotland for their assistance during the research of this thesis. I am also grateful to Dr Fewster and the archival staff of the Department of Palaeography and Diplomatic at the University of Durham for they were especially helpful with my investigation of probate material. Mr Roger Norris of the Dean and Chapter Library was equally obliging, as were Mr Stewart and the staff of the Berwick and Northumberland Record offices.

Dr Tristram Clarke of the National Register of Archives (Scotland) was more than proficient at unravelling my many requests for manuscripts held in private collections. Many people obliged me with access to their family papers, but I would particularly like to thank Lord Home of the Hirsel, his Grace the Duke of Roxburghe and Dr Colin Shrimpton, the Duke of Northumberland's archivist at Alnwick Castle. The hospitality of Mrs Dorothy Pringle of Torwoodlee and Lady McEwen of Marchmont was also most welcome.

My supervisors, Dr Michael Lynch and Mr Tony Goodman, have given my research the benefit of their combined experience in both Scottish and English History. I am greatly indebted to them for their encouragement and constructive criticism over the past five years.

Finally, I must thank my long-suffering family. Robin, for his agronomical advice and understanding of computing errors; Dad, for never failing to respond to the needs of his perpetually indigent daughter and lastly Mum, for her excellent proof-reading and her unfailing love and support during the last five years.



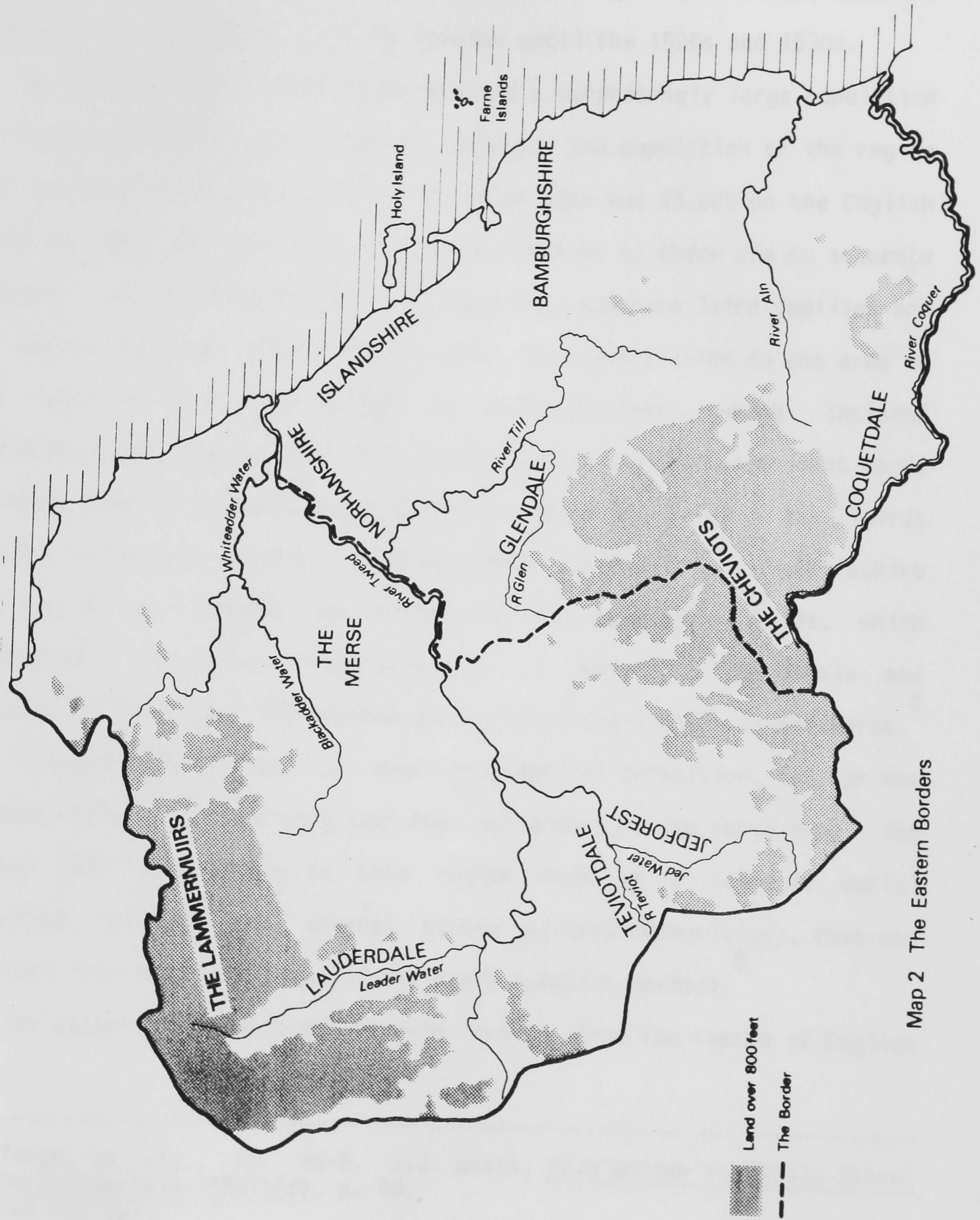
Map 1 The Anglo-Scottish Border Marches

INTRODUCTION

The sixteenth-century Anglo-Scottish Border Marches were the product of raiding and intermittent warfare that had originated with the Scottish Wars of Independence in the later thirteenth and early fourteenth centuries.¹ The endemic violence of this region had necessitated an international administration that was designed to settle grievances between the realms. The East, Middle and West Marches of Scotland and England were the result of this need.² Each March was administered by wardens and other Border officers within the jurisdiction of the Border laws.³ Successive governments of both countries had failed to solve the problems of Border reiving, so there was a perpetual need for this Border administration. This thesis, however, is not concerned with the administration of the Borders and the incessant activities of the reivers. Instead, it aims to look beyond the administration of the Borders, (which has been thoroughly researched), to produce a comprehensive and thematic study of the landed families of the Eastern Borders.

The lairds and gentlemen who dominated the Eastern Borders during 1540-1603 were the descendants of former Douglas and Percy squires who had begun to emerge in their own right in the fifteenth century. In the Scottish Borders the fall of the powerful 'Black' Douglasses, in the mid-fifteenth century, had heralded the beginning of the rise of the Home, Ker and Pringle kindreds, whilst in the Eastern English Borders the Tudor

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1. G.W.S. Barrow, 'The Aftermath of War', TRHS, 5th ser, xxviii (1978), pp. 103-126.
 2. See map one. D.L.W. Tough, The Last Years of a Frontier, pp. 3-10, 17-21.
 3. R.L. Storey, 'The Wardens of the Marches of England towards Scotland, 1577-1489', EHR, lxxii (1957), pp. 593-616.



Map 2 The Eastern Borders

monarchy's determination to subvert the power of their over-mighty magnates in the north, such as the Percies, in the later fifteenth century began a process of change. The local Border gentry did not, however, appear to be independent from the Percies until the 1520s and 1530s.

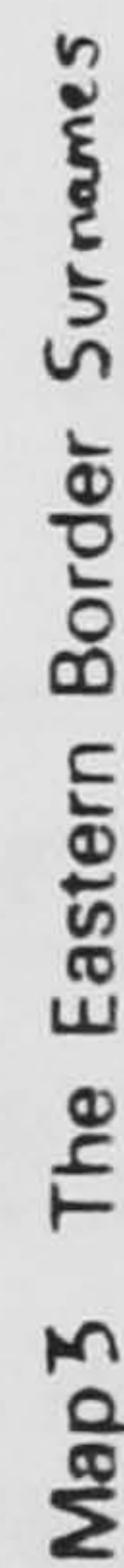
The Eastern Anglo-Scottish Borders had a surprisingly large population of landed families in the sixteenth century. The population of the region was probably around 24,000 on the Scottish side and 33,000 on the English front in 1603, but these are only approximations as there are no accurate figures.⁴ Out of these totals there were 306 separate laird families and 147 gentry families, from 1540 to 1603. The gentry lived in the area to the north of the river Coquet in Northumberland, which included Norhamshire and Islandshire (North Durham) and the local government wards of Bamburghshire, Coquetdale and Glendale (Northumberland). The lairds resided in the four counties of Berwickshire, Roxburghshire, Selkirkshire and Midlothian, between the Border and the Lammermuir Hills, which encompassed the river valley districts of Jedforest, Teviotdale and Lauderdale,⁵ as well as the lowland agricultural basin known as the Merse.⁶ The 'Eastern Borders' have no exact geographical definition, but for the purpose of this research they have been designated as the above area. The landed families who lived in this region made up a cohesive social structure, (divided into several strong kindred communities), that was distinct from the other areas of the Anglo-Scottish Borders.

The Eastern English Borderers were remote from the centre of English

4. Tough, op cit., pp. 26-8. S.J. Watts, From Border to Middle Shire: Northumberland 1596-1625, p. 40.

5. See map two.

6. See map three. CBP, i, no 972. CSP Scot, x, no 156; xi, no 26. G. Johnson, The Natural History of the Eastern Borders, p. 1.



government and communications were poor, but they were still the subject of much official interest because of the proximity of the international frontier. The Border lairds were much closer to their government and therefore had more direct communications with their crown, privy council and parliament, but this was due more to the personalized nature of⁷ sixteenth-century Scottish government than the Border problems.

The sixteenth-century Anglo-Scottish Borders certainly attracted the attention of contemporary governments, but they have also fascinated later historians. In the eighteenth century Ridpath, Nicolson and Burn⁸ published reasonable histories of the Borders, but they were followed by the nineteenth-century romanticism of Sir Walter Scott who portrayed the Borders in an unrealistic way.⁹ Other nineteenth-century historians such as Raine, Hodgson and Armstrong were more perceptive, if a little¹⁰ inaccurate. Twentieth-century historians such as Reid, James, Batho, Bean, Tough, Watts and Rae have helped to re-appraise the history of the Borders in a more methodical way, by putting the problems in a better perspective.¹¹ Recent articles and theses have assisted this

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7. CSP Scot, xiii, pt 1, no 211. G.H. Thomson, Some Influences of the Geography of Northumberland upon its History. R. Newton, The Northumberland Landscape, chapter one. J. Wormald, Court, Kirk and Community, pp. 18-26.
 8. G. Ridpath, The Border History of England and Scotland. W. Nicolson, Leges Marchiarum or Border Laws. J. Nicolson and R. Burn, The History of Westmorland and Cumberland.
 9. W. Scott, The Minstrelsy of the Scottish Border.
 10. J. Raine (ed), North Durham et al. J. Hodgson, A History of Northumberland. R.B. Armstrong, History of Liddesdale, Eskdale, Ewesdale, Wauchopedale and the Debateable Land.
 11. R.R. Reid, The King's Council in the North. M.E. James, 'The Concept of Order and the Northern Rising', P&P, Tx (1973), pp. 49-63, et al. G.R. Batho, 'The Percies and Alnwick Castle 1557-1632', AA, 4th ser, xxxv (1957), pp. 48-63. J.M.W. Bean, The Estates of the Percy Family, 1416-1537. D.L.W. Tough, op cit. S.J. Watts, op cit. T.I. Rae, The Administration of the Scottish Frontier, 1513-1603.

process further.¹² The one exception to this is the work of Fraser, which¹³ sensationalizes the violence of the Borders out of all proportion. The remaining historiography concerning the Eastern Borders is in the form of numerous family histories and the Northumberland County History, which vary in standard from highly inaccurate storybooks to well-researched¹⁴ genealogical texts, such as the Carr, Ormiston and Pringle histories.

The sixteenth-century Border lairds and gentlemen have rarely been compared and contrasted before, but this approach has proved to be enlightening in this truly Anglo-Scottish study. They shared broadly similar social structures, kinship, wealth patterns and had the same problems of younger sons and Border reiving. There were differences in politics, religion and legal systems, but even these distinctions were not so disjointed as to be incomparable. The river Tweed was not an impenetrable barrier to communication, so the shared interests of these landed families sometimes mingled in sociable gatherings that were far removed from the typical image of the Borderers always causing trouble

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12. B. W. Beckingsale, 'Characteristics of the Tudor North', NH, iv (1969), pp. 67-83. M.L. Bush, 'The Problems of the Far North and the Crisis of 1537', NH, vi (1971), pp. 40-63. A. Goodman, 'The Anglo-Scottish Marches in the Fifteenth Century: A Frontier Society?' in R.A. Mason, ed., Scotland and England, 1286-1815, pp. 16-33. A.A. Cardew, 'A Study of Society in the Anglo-Scottish Borders. 1455-1502', St Andrews Ph.D 1974. M. H. Merriman, 'The Struggle for the Marriage of Mary, Queen of Scots: English and French intervention in Scotland, 1543-50', London Ph.D 1974. S. M. Keeling, 'The Church and Religion in the Anglo-Scottish Border Counties, 1534-1572', Durham Ph.D 1976. C. M. F. Ferguson, 'Law and Order on the Anglo-Scottish Border, 1603-1707', St Andrews Ph.D 1981. P.G. Boscher, 'Politics, Administration and Diplomacy: The Anglo-Scottish Border 1550-1560', Durham Ph.D 1985.
 13. G.M. Fraser, The Steel Bonnets. See chapter two p. 143 and chapter six pp. 369-70.
 14. R.E. and C.E Carr, The History of the Family of Carr. T.L. Ormiston, The Ormistons of Teviotdale. A. Pringle, The Records of the Pringle Family.

15

across the frontier, or of the Borders being an uncivil place.

The Eastern Borders were a microcosm of the political state of Scotland and England from 1540-1603. Therefore by looking closely at a locality, such as this, the complex influence of central politics on a local society can be deciphered and more clearly understood.¹⁶ The period of this research is dated circa 1540 as the English gentry's rise has to be explained against the background of the decline of the Percy earls of Northumberland in the 1520s and 1530s. In Scotland 1540 marks the beginning of the decade of Anglo-Scottish tension known as the 'rough wooing', that had severe repercussions for the Borderers. This study has been terminated in 1603, not because this was the year of the Union of the Crowns, but rather through the abundance of primary source material from the 1580s onwards. However, the period 1540-1603 is certainly longer than some other works on the Borders.¹⁷

The primary sources for the Eastern Borders are generally good, though there are certain gaps, particularly in family papers and local legal records, on both sides of the frontier. Overall the Scottish records were better, but there were plenty^{of} government and legal documents in both countries to satisfy this study. The surviving probate material for both countries has been an excellent source of social history, which was inexplicably ignored by M.E. James and S.J. Watts. Identification of all the landed families was greatly helped by the survival of jury lists and various surveys of the Borders. However, the best family source is

15. HMC, Salisbury, xv, p 353.

16. W.K. Boyd thought Border matters were of little historical value! CSP Scot, v, p. xxvi.

17. cf. Boscher, Merriman and Watts, op cit.

undoubtedly the history of the Homes of Wedderburn (De Familia Humia Wedderburnensi) by David Home of Godscroft.

The basic themes of this study embrace the social structures of the landed communities on both sides of the Border, their politics, wealth, education and culture, the effects of the Reformations in both countries, disorder in the area and cross-border relations.

The Eastern Scottish Border lairds were separated from the Western Borderers by kinship, alliance and a less violent (though not entirely peaceable) attitude. The distinct laird communities of Homes, Kers and Pringles bore a certain similarity to the English concept of 'county communities', but there is a problem in identifying exactly who these lairds were. Landed status was extremely complex in Scotland, owing to the overlapping layers of the middle order of society and the lairds seem to have ranged from wealthy kin chiefs to meagre landholders. For the purpose of this research the Lords Home have been designated as greater lairds for they were the lairds of Hume and chief of the surname of Home. Many of the Home lairds were upwardly mobile, but the majority of the lairds were static from 1540-1603.

Kinship amongst the lairds was probably stronger and more paternalistic than the kinship of the gentry. It involved mutual respect for both blood relationships and the surname group at its widest interpretation. Kinship was useful in practical terms as it could guarantee help with debts, employment and minors, but it was less advantageous when it was the root cause of a feud. Some of the lairds depended on their kin chiefs for their landholding and it was also important for the tailzie (anglice entail) of property. Marriages often

strengthened or enlarged kinship relations between the different Eastern Border kin groups, but there were only a very few marriages between the East and West Borders, owing to the social division between these areas.

Disloyalty to kin chiefs was not unknown, especially amongst the ranks of the greater lairds. The lesser lairds tended to remain loyal, but greater lairds such as the Homes of Cowdenknowes and Manderston proved to be perfidious kinsmen of the fifth Lord Home during the 1570s. There was a revival of kin loyalty amongst the Homes in the 1590s, despite their religious differences. The Homes were not the only Border kin group to suffer internal friction, as the Kers were rarely united during the sixteenth century.

The administration of local government in the Eastern Scottish Borders¹⁸ was often based in kinship and was dominated by the lairds. This was the focus of the locality for those lesser lairds whose interests did not go beyond the Borders. The large number of private jurisdictions in Scotland restricted the powers of the local government office-holders, but they also created more opportunities for lairds to be employed as bailies in the locality. Such was the lairds' interest in local affairs that they even tried to become involved in the administration of Border burghs. Outwith the Borders, the lairds who were ascendant could seek favour at court and many were successful in gaining household and administrative offices, as well as parliamentary commissions. The administration of the Borders also involved the lairds as local men were often granted the position of warden and he, in turn, usually employed kinsmen as deputies.

The political scenario on the Scottish side of the frontier was a

18. The English equivalents of these offices have been cited in chapter one to assist those who are unfamiliar with Scottish terminology.

minefield of instability throughout the 1540-1603 period, though the latter years were less turbulent. The ascendancy of the lairds was noticeable from the 1540s onwards. The lairds had control of their locality throughout the century. They were challenged at times by powerful non-residents, such as the Maitlands and the earls of Angus and Bothwell who held the superiority of local land, yet they always triumphed over these interferences in the end. The lairds were also tested by the Anglo-Scottish wars of the 1540s and late 1550s, as well as by the civil wars of 1568-73, but they were particularly adept at playing to both sides in these matters and craftily avoided giving away their real self-interested intentions. During the 1540s there was a pronounced split between the loyalties of the Merse and the rest of the Eastern Borders as the Kers and Pringles assured to England, whilst the Homes remained loyal to the Scottish crown, but the conditions of this period were unusual and the supposed loyalty of the Kers and Pringles to England was less than convincing when scrutinized.

When court politics interfered in the locality of the Scottish Borders during the 1560s, 1570s and 1580s the lairds took advantage of patronage when it suited them. However, they rejected direct interference in their affairs, such as ^{external control of} the wardship of two Home heiresses and the canvassing of the traditional Ker of Ferniehirst support by Regent Morton in the 1570s. From 1585 to 1603 there was direct crown interference in the Eastern Borders as James VI tried to build up a 'safety net' of loyal lairds. This was not objected to by the influential lairds, as they were now entrenched at court themselves and their presence helped prevent unwelcome interference in their sphere of influence.

In the Eastern English Borders the social structure of the gentry was

encompassed in a community to the north of the river Coquet. These families were therefore not a 'county' community, but a self-contained gentry community straddling two counties. The gentry rose as a result of deliberate crown interference in this locality during the 1520s, 1530s and 1540s, designed to crush the traditional power of the Percy earls of Northumberland. During a Percy 'interregnum' the newly favoured families of Collingwood, Forster and Selby joined with older established families of Gray and Radcliffe to accept the crown's patronage, in place of that of the Percies. The dissolution of the monasteries was an ideal opportunity for the crown to give leases of former monastic land as patronage, but these grants were also supplemented with pensions for Border service. The only patronage denied to these newly risen gentlemen were household and administrative court offices, but this was not a major concern with a landed community that was very remote from the centre of government. The Percy interregnum ended with the return of the seventh earl of Northumberland, but he failed to recapture his traditional support in the locality and was positively challenged by new men, such as Sir John Forster. The poor support for the earl during the Northern Rebellion vindicated the success of the crown's intervention in the locality.

The gentry are more easily identifiable as landed men, owing to the rigid status of knights, esquires and gentlemen in England. Where there is some doubt about lesser gentlemen the probate documents are of assistance. The mobility of many gentry families was upward, with the many opportunities for advancement in the locality, though many also remained static. Kinship was widespread with blood and marriage links predominating, but it was possibly not as all-encompassing as the kinship of the Eastern Border lairds. It was still a useful and respected

element of local society as it could influence land leases, employment, entail and mutual obligations. Kinship was also an important part of gentry marriages. Local marriages could lead to upward mobility and those involving mercantile interests were mutually beneficial.

The local administration of the English Eastern Borders was dominated by the gentry, but they were of a varying standard of competence. The sheriffs were of poor quality, but the justices of the peace were fairly efficient. The justices were actually the backbone of local government, though the composition of the commission of the peace was somewhat altered in the 1590s, as recusants were barred from the office. The private (non-crown) offices available to the gentry were important to the locality as a useful source of employment and influence in some instances. The top Border offices were usually granted to outsiders, with the notable exception of Sir John Forster, but there were opportunities for the gentry in the Berwick garrison. These appointments were salaried, but they actually hindered the traditional system of defence in the English Borders, because military service was supposed to be given free of charge as a condition of tenure.

The politics of this locality are very complicated. There was a consistent split amongst the gentry, between the minority who supported the Percies and the majority who opposed them. However, there was absolutely no consistency in the gentry's alliances to courtiers. The lack of a resident magnate in the community had created general trouble and instability. The interference of the crown in the 1520s, 1530s and 1540s was followed by courtier influence from the 1550s to 1603. The courtier politics were most acute in the 1570s, 1580s and 1590s, when the Forster and Collingwood rivalry, and the Gray and Selby feud

disrupted the entire community. Sir John Forster was severely criticized at this time, but he was a loyal crown servant and knew better than any other how to maintain some semblance of order in the Middle March. Challenges to the power of the local community came from the Carey brothers and Lord Willoughby in the 1590s and early 1600s. They were warded off, however, by the locally powerful family of Selby. The control of the English Eastern Borders lay with a mixture of courtier-led factionalism combined with local loyalties and alliances. Forster was the most powerful gentleman, but the Grays of Chillingham were wealthier and the Collingwoods had a strong kin network, but held no significant offices.

The Eastern Borders were economically backward in the sixteenth century, but this did not prevent the majority of the lairds and gentlemen quietly prospering from their land management and agriculture in an era of rising agricultural prices. The availability of extra land, such as monastic and crown land helped many lairds and gentlemen advance. Leases were generally advantageous to the landed families. In England the gentry tried to avoid wardship dues on the lands of minors by making suspicious conveyances. The greatest accumulator of land was undoubtedly Sir John Forster, but the Grays of Chillingham had vast ancestral estates. In Scotland monastic and church land was more plentiful and the leases were probably better, as they were usually hereditary. The Homes were particularly successful with monastic land leases. Tithes and teinds were much sought after on both sides of the Border as an additional source of income from land. There was more mortgaging in Scotland, however, owing to a more flexible credit system.

Agriculture was broadly similar on both sides of the Border, but the

gentry had a more profitable system of land management. They managed to circumvent the restrictions of Border tenure by enclosing, engrossing, raising rents, levying excessive fines, granting only short-term leases and by illegally leasing their lands to Scottish tenants. They always denied oppressing their tenants when confronted. There was some oppression in Scotland as well, but nothing like the English side of the frontier as there was no equivalent of their restrictive Border tenure here. Animal husbandry and crop production were very similar on both sides of the Border as the basic topography and climatic conditions were alike. There were three zones of production; upland shieling grounds, intermediate animal breeding areas and a lowland arable and pasture zone.

The bulk of the landed families' income came from land, but a few had alternative sources of income to supplement this, such as offices, pensions, escheats, wardships, coalmines and fisheries. Estimating the exact levels of wealth of the lairds and gentlemen is very difficult. There are problems with probate inventories and the differing rates of exchange that make deduction and comparison difficult, though not impossible, as there are other useful sources, such as rentals, dowries, funeral costs and evidence of housebuilding to complement the inventories. The lairds and gentlemen had similar problems with debt and less prosperous families who were more impoverished than some of the local yeomanry, but they had comparable numbers of new and prosperous families as well. The burdens of dowries and provision for younger children were shared by all landed families. The financial predicaments of the sixth Lord Home are well documented, but his household accounts are a good example of the standard of living amongst the greater lairds. There was a stark contrast across the frontier as far as housebuilding

was concerned, for the lairds who had the burden of taxation were the most conspicuous builders of new houses, whereas the gentry only made improvements to their houses. Overall, however, the true wealth levels of the lairds and gentlemen remain an enigma.

The sixteenth-century Borderers were seen as ignorant and backward by contemporaries, but these are misnomers as far as the lairds and gentlemen were concerned. They had a higher level of education than has previously been acknowledged. Therefore the popular image of the Borders as an area populated only by violent and uncivilized reivers is clearly false and has unfortunately precluded serious discussion of the education and culture of the region. The general expansion of education in the second half of the sixteenth century was evident in the Borders, as elsewhere, and was particularly valued by the lairds and gentlemen for both their sons and daughters at an elementary stage. A minority went on to university, but the lairds seem to have sent more of their sons there than the gentry. Adventurous young Scots also ventured abroad for their higher education, but the supreme example of how advanced some of the Border lairds sons were, was David Home of Godscroft, whose intellect was acknowledged throughout Europe. Literacy amongst the landed families was better than some historians have suggested. It was not of a brilliant standard in 1540, but by 1600 it was near to 100% in the Eastern English Borders and was between 90-100% in the Scottish Borders.

The younger sons of the lairds and gentlemen were treated in a similar manner with comparable land provision, apprenticeships and military service. Their provision depended on the wealth and status of their father, with the wealthier families advancing more than the lesser landed men. Court offices were really open only to the lairds' sons as

geographical isolation prejudiced the gentlemen's chances. George Home of Manderston enjoyed the greatest ascendancy of all the lairds' younger sons in terms of office and wealth, but many other Homes prospered as well. In Northumberland Sir John Forster was the equivalent of George Home. Some of the younger sons who went into trade in either country were very successful as well.

The level of cultural appreciation in the Eastern Borders was higher than expected for a frontier area. For instance, there were accomplished poets on both sides of the Border with the Ildertons in Northumberland and the Homes of Polwarth in the Merse. Some of the landed families were known to read books and play musical instruments, but sources are scarce on these topics. The lairds seem to have travelled abroad for fashionable reasons, helped by the 'auld alliance' between Scotland and France, but the gentry were restricted in their ventures. The pastimes of the lairds and gentlemen were typical of sixteenth-century landed society and included hunting pursuits and a general interest in horses. The overall impression of the lairds and gentlemen is that they were far from being unlearned or backward from 1540-1603, though their level of cultural appreciation varied and was clearly not the equivalent of Renaissance Italy.

The effects of the Reformation differed in the Eastern Borders for various reasons, but the different timing of the Reformation in England and Scotland should be noticed. The Reformation was only very slowly established in the Eastern English Borders for numerous reasons, such as the inactivity of Bishop Tunstall, surviving Catholicism, the lack of Protestant preachers, geographical isolation, Scottish emigre priests, poor stipends and pluralism. The problems of the church were not

properly tackled until 1577, with the incumbency of Bishop Barnes, but even then the task was enormous. Conditions slowly improved, but the very long gap between the Reformation and local enforcement was ideal for the survival of Catholicism. Local recusancy went largely unchallenged until 1591, when fines and sequestrations were introduced to the locality. Even then, there was little conformity amongst the recusant gentry families. Some Catholics escaped detection as they still held offices in the 1590s. The majority of the gentry had been Catholic in 1574 and by 1600 over 50% were still Catholic. At the other end of the religious spectrum there were a few local Puritans, but they were a minority. There were lapses in church discipline by both Protestant and Catholic gentry families in such matters as morality and obligations to repair church buildings. The impact of the Reformation, however, remained very slow in this locality and was non-existent for many gentry families.

In the Eastern Scottish Borders the Reformation was more quickly adopted and recusancy was not such a problem, but the overall progress of the reformed church was fairly slow. There were similar problems to the English Borders with a lack of Protestant ministers, inadequate stipends and pluralism with many parishes only having a reader for services. There was some Catholicism in the locality, but it was not on a scale comparable to the English Borders. At the time of the Reformation it was very difficult to determine the true belief of the lairds as political expediency, rather than a genuine commitment to the reformed church, was prominent. By the 1570s, however, their faith was more clear-cut and the Homes and the Kers, in particular, seem to have been convinced Protestants. Sir Thomas Ker of Ferniehirst and the fifth

and sixth Lords Home were Catholic, but their belief was not shared by their kinsmen. There was no Scottish equivalent of the English recusancy fines and sequestrations, but the sixth Lord Home was persecuted by the General Assembly of the kirk. Home was fortunate to be in court favour at this time, however, so he could shelter from most of the kirk's wrath. More younger sons entered the church as a career in the Scottish Borders, but this is not surprising considering the high level of recusancy amongst the gentry. There were lapses in church discipline and morality, similar to those in England, for the speed of the Reformation seems to have made little difference to these matters.

Disorder in the Eastern Borders was not confined to lapses in church discipline. Feuding and domestic crimes were often evident in this region. Feuding was almost an everyday occurrence, but crime was less frequent. On both sides of the Border feuds ranged from internecine bloodfeuds to minor squabbles between neighbours, and there was little to distinguish either side of the frontier in terms of their frequency or seriousness. The Borders were probably less violent than other areas of Scotland, but they have often been misrepresented as one of the most turbulent areas of early modern Britain. The Eastern Borders had far fewer cross-border feuds than the Western Borders, but the various feuds they did participate in were extremely complex.

Bloodfeuds were the most serious feuds and could last for several generations. The Ker and Scott, and the Heron and Carr feuds were the most prominent. They were very difficult to pacify as marriages and bonds between the two sides rarely succeeded, but arbitration was usually the preferred method of solution. It was only in the late sixteenth century when law enforcement in the area improved that law

courts were used to settle bloodfeuds. National politics and local rivalries were often the major undercurrents of these bloodfeuds, but these factors could surface in property and miscellaneous feuds as well.

Property disputes were mostly localized arguments that typically concerned tithes or churchland. The Scottish privy council and the English courts or the Council of the North were often used for settlement of these frictions. They were mostly settled more easily and quickly than bloodfeuds. Alliances in property disputes were seldom stable, unlike the entrenched bitterness of the bloodfeuds. The causes of these disputes varied across the Border, but not greatly so. Miscellaneous feuds varied from unknown minor fights to intense territorial struggles, such as between the Kers of Cessford and Ferniehirst, Lord Home and the earl of Bothwell and the Collingwoods and Forsters. None of the cross-border feuds was a serious affair in the Eastern Borders as they were only short-term.

Domestic crime in the Eastern Borders included joining national rebellions, theft, murder (unconnected to feuds), debt and adultery. The Northern Rebellion was most important event in the Eastern Borders as some younger sons joined the rebels and fled into Scotland at the failure of the rising, to be sheltered by some sympathetic lairds. The reasons why these gentlemen supported the rebellion are complex, but they were a minority as most local gentry remained loyal to the crown. Less serious crimes, such as debt and petty theft, are not remarkable in an area where some of the landed men were in financial difficulties.

Finally, the official and unofficial cross-border relations of the lairds and gentlemen come under scrutiny. The Eastern Borders were less violent than the Western Borders, but there was friction between the

Scottish Middle March and the English West and Middle Marches. However, relations between the two East Marches were particularly good. There was some debateable ground in the Eastern Borders, that has not been highlighted before, probably because of concentration on the well-known 'Debateable Ground' of the Western Borders. There were periodic cross-border incidents of importance to the Eastern Borders, such as the devastation of the 1540s, Tweed fishing disputes, shipwrecks, the Northern Rebellion, the Redeswire fray and the death of Lord Russell. There was, however, a marked change of attitude in Anglo-Scottish relations in 1586 when James VI became a client prince of Elizabeth I. This led to a decrease in the English government's over reactivity to cross-border incidents and made overtures for better order in the Marches. The Border commission of 1596-7 was a successful attempt to quell Border troubles in the Eastern Borders and the incident at Norham Ford in 1597 proved how good cross-border relations could be in the East Marches. The stupid provocation of the Careys and Lord Willoughby during 1598-1603 was not responded to by the Scots, as James VI personally intervened to keep the peace.

The Border was recognized by the Eastern Borderers only when it suited them. For instance the Merse was the undisputed natural hinterland of the town of Berwick. Trade was thus carried out between the town and the shire, regardless of the international frontier between them. This trade was far more extensive than has previously been realized. 'Victualling Scots' were welcomed by garrison soldiers and their trade benefited both countries. There was also a thriving smuggling trade, mostly in grain and horses, across both the landward frontier and the sea inlets of Northumberland. There was also a large

number of Scots resident in the Eastern English Borders as tenants, craftsmen and servants to the gentry. This interdependency was useful to the local economy and a welcome source of income for the Scots.

The Border was seemingly invisible to the lairds and gentlemen where personal friendships and social visits were concerned (that is after the devastation of the 1540s had been forgotten). The Tweed was no physical barrier to this activity and probably far more activity went on than has ever been recorded. It was also useful to have a good knowledge of the opposite March, for strategic reasons or to follow stolen goods or find a reiver to force a private bond of justice from him. Some of the marriages, friendships and hunting trips across the frontier were misunderstood by non-local office holders in the English Borders, who refused to believe that cross-border activities could be harmless pursuits. One of the few times that the Border was recognized by the lairds and gentlemen was when they sought asylum from the system of justice in their own countries. Nevertheless, good relations between these lairds and gentlemen prove how peaceable the Borders could be, and how pacifying their friendships were in comparison to the frequent turbulence of the Western Borders.



Map 4 The Eastern Scottish Borderland

CHAPTER ONE

THE SOCIAL AND POLITICAL STRUCTURE OF THE LAIRDS OF THE EASTERN SCOTTISH BORDERLAND.

I. Who were the Lairds ?

The Eastern Scottish Borderland, for the purpose of this study, covers a vast area stretching from the east coast to Jedburgh and then north west to Galashiels, the Moorfoot Hills and finally eastwards along the Lammermuir Hills to the coast again.¹ This area does not correspond to any political boundary such as a county, Border March or topographical barrier, for it is based on the geographical location of the numerous lairds, who made up communities of landed men that were distinct from those of the Western Borders.² The differences between the Eastern and Western Border lairds were highlighted in the composition of the opposing parties of the Ker and Scott feud, as well as the Pringle and Elliot feud.³ The majority of the Scott and Elliot support came from the Western Borders, whilst the Ker and Pringle following came from the Eastern Borders. There were complicated subdivisions between the communities of lairds in the Eastern Borders as well, but when a major bloodfeud occurred or revived they inevitably pulled together to oppose the Western Borderers. But who were these lairds?

There is no easy definition of the Scottish landed gentlemen in the sixteenth century for even their contemporaries were confused by the terminology of 'laird'. In England the stratification of the gentry was

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1. See map four and Blaeu's Merse and Teviotdale. There is no standard opinion as to the exact definition of the Eastern Borders.
 2. That is the area to the west of Selkirk and Jedburgh, comprising West Teviotdale, Liddesdale, the 'Debateable Ground' and Dumfriesshire. Pitscottie, *History*, p. 33.
 3. See chapter six, appendix nos 1, 10.

rigid and separate from the nobility, making them easily recognizable as knights, esquires or gentlemen and they usually had armorial bearings to prove their gentility.⁴ However in Scotland there were various types of middling people who could be classified as landed gentlemen or lairds, but they did not have any definite rank or armorial bearings as a coat of arms was not an essential feature of gentility or nobility in sixteenth-century Scotland.⁵ Neither was there any clear distinction between a greater laird and a nobleman, for a laird was literally the 'lord' of his lands. The Border lairds have, however, been classified as greater, lesser, lesser or bonnet^{and bonnet} lairds to try to make some sense of this complicated group of middle rank landed men, (which will be explained later).

In England the concept of a 'county community' in the early modern period has dominated recent local historical research. There has, as yet, been no direct equivalent to this area of research in Scotland. Comparisons are nevertheless possible on the other side of the Border where broadly based Scottish kinship ties created strong communities of lairds. These communities were not necessarily confined to one county, but the comprehension of an English county community is arguably not applicable to a whole shire either as there could be several communities within one county or across a shire boundary.⁶ Gordon Donaldson has unwittingly analysed the various Scottish shires as county communities, whilst discussing the followers of Mary Queen of Scots, but apart from several Reformation studies there have been few thorough studies of a

4. See chapter two pp. 146-8.

5. J. Wormald, 'Lords and Lairds in Fifteenth Century Scotland: Nobles and Gentry', in M. Jones, ed., Gentry and Lesser Nobility in Late Medieval Europe, pp. 182-200. A register of Scottish Arms is not extant before 1672. It was not until the Restoration period that a coat of arms became a requisite for those claiming to be Scottish gentry.

6. See chapter two pp. 134-35.

rural locality as a social, political, economic and religious community or communities in the sixteenth century.⁷ Such communities^{have} rarely been directly compared and contrasted across the Anglo-Scottish frontier.

The lairds of the Eastern Scottish Borderland markedly disassociated themselves from the notorious reivers of the Western Borderland. This does not mean that there was an absence of reivers in the Eastern Borders, for there were thieves in the east Teviotdale and Jedforest areas, but the laird communities in the Eastern Borders were generally more peaceable than the Western Border lairds. The Merse lairds had a particular hatred of being classified with thieves, probably because they were known to 'manure justice' and study 'politike affairs'.⁸ David Home of Wedderburn, remembering a taunt from a Douglas in 1556 that 'we of the Forest will teach you of the Merse to fight', refused to sign a bond of loyalty to the Queen at Jedburgh in 1561 because known Jedforest reivers were also to be signatories of the bond. Wedderburn would not associate with 'such men with whom he would not enter into any societie, fellowship or combination'. A similar incident occurred in 1573 when George Home of Wedderburn refused to sign a bond and other Homes only signed with reluctance. Their honourable stance was not appreciated by the regent, the earl of Morton, who chastised them 'that it is not fit or possible to observe those school-rules precisely in Politik affairs'.⁹ The Homes were, however, acting in a similar manner to the English gentry of the Eastern

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7. G. Donaldson, All The Queen's Men, pp. 102-112. F.D. Bardgett, 'Faith families and faction: the Scottish Reformation in Angus and the Mearns'. Edinburgh Ph.D. 1987. A.J. White, 'Religion, Politics and Society in Aberdeen, 1543-93.' Edinburgh Ph.D. 1985. M. Lynch, Edinburgh and the Reformation.
 8. APS, iii, pp. 461-6. An Act of 1587 to keep better order in the Borders does not refer to the Scottish East March, for there was so little trouble there. Lesley, History, i, p. 10.
 9. Godscroft, History, pp. 276, 323. HMC, Milne-Home, no 86.

Borders who disowned the infamous reivers of Tynedale and Redesdale.

The division between the Eastern and Western Scottish Borders was therefore distinct, but there were several subdivisions in the East that stemmed from complex kinship structures. These differences were less serious than the East/West Border divide, as the long term feud between the Kers of Cessford and the Kers of Ferniehirst always took second place to their joint feud against the Scotts. It was therefore more important for Eastern Border lairds to oppose a laird from the Western Borders than¹⁰ to fight amongst themselves.

There were four dominant kin communities in the Eastern Borders led by laird kin chiefs. The Kers of Cessford were based in the area around Kelso, whilst the Kers of Ferniehirst drew their strength from the Jedforest area and the Pringles were centred on the area around Galashiels. The Pringle power base defied shire boundaries as it occupied three counties - Roxburghshire, Selkirkshire and Midlothian. The Homes dominated Berwickshire, but were also quite strong in East Lothian as well. Kinship, marriages, friendships and petty quarrels existed between these groups, but they drew the majority of their support from their own community patronage networks. They also kept to their own territories as they seem to have had a mutual respect for their fellow kin chiefs' sphere of influence. The only exception to this status quo were the Kers of Littledean, who were kinsmen and allies of the Kers of Cessford. Sir Andrew Ker of Littledean was rewarded with a grant of lands belonging to Coldstream Priory for promptly reporting the Scottish victory at Haddenrig¹¹ in 1542 to a grateful King James V. Instead of just collecting rental

10. See chapter six appendix nos 1, 197. Only one laird in the Eastern Borders consistently supported the Scotts - James Ormiston of that Ilk, a persistent troublemaker. See chapter six p. 376.

11. See chapter six, appendix nos 43, 74, 92, 93, 129.

from this land Ker decided to live at the Hirsell, which was in the Home heartland and this caused friction on several occasions. The Kers never integrated with the xenophobic local population, despite a marriage to a Home. When this marriage turned sour and a feud resulted the Kers had to summon support from their native Teviotdale, as no local help was available. When property disputes arose the Kers insisted on non-local¹² arbiters to avoid bias in favour of the Homes.

The Kers' difficulties in the Merse were indicative of the very localized nature of Scottish society in the sixteenth century, where strong kinship resulted in blatant territorialism. The kin communities were led by greater lairds who were also descendant kin chiefs. The Kers of Cessford and Ferniehirst as kin chiefs were, in effect, of the rank of nobility without a title, but Lord Home was the only lairds' kin chief in the Borders to be officially a member of the nobility before 1600. They were the elite of the laird class with wealth, power and status, but there were other types of lairds in Scotland who deserve investigation.

The diversity of lairds had evolved with fundamental changes in sixteenth-century Scottish society that had led to an awareness and demand for social status. The lairds were traditionally the backbone of rural society as barons, sheriff deputes, jurors and arbitrators, but they began demanding a role in central government and this altered the pattern of¹³ local power. However before investigating the political background to the ascendancy of the lairds, the lairds themselves have to be identified.

If the term 'laird' is taken in its broadest context, the common factor shared by all these men was that they were landed, whether they

12. RH9/17/1/2. RMS, iii, 2801. Calderwood, History, i, p. 144. Godscroft, De Familia, pp. 78-80.

13. CSP Scot, ix, no 631. J. Wormald, Court, Kirk and Community, pp 32-3.

held land directly from the crown or indirectly through a nobleman, the church, a monastic foundation or from another laird in blench ferme or feu ferme. They were inevitably referred to as the laird of a particular property and were often called by this placename and not by their surname, which can be confusing if common placenames occur. This was a practice peculiar to Scotland as the English gentry always used their surnames. The phenomenon of feuing church and crown land turned some lesser landholders into lairds, but this led to a greater amount of confusion as to who exactly justified the title of laird. Both English and Scottish correspondents were bemused by the term. The derivations 'lord', 'laird' and 'gentlemen' were all used to describe lairds, yet the Scottish privy council compounded this complexity further in 1564 by calling on 'barons, landit men, gentilmen and utheris' to assist the Border wardens. They did not mention 'laird' at all and the separation of landed men from the others is curious as they were in reality all landed.¹⁴ A jealous Scottish commentator referred to the 'meanest sort of gentlemen called lairds', but this was blatantly untrue for lairds encompassed a wide cross-section of middling people from bonnet lairds at the bottom of the scale to the wealthier lesser lairds and most powerful greater lairds at the top of the ranking. There was an additional problem with the use of the term 'surnames' to describe kin groups in Scotland. Surname groups included lairds and non-lairds alike, but English Border officials thought them separate from gentlemen in 1583.¹⁵

The gentlemen, rather than surnames, listed in the same English report included Homes, Trotters, Brounfields, Dicksons, Crows and Cranstons in

14. CSP Scot, viii, no 45; xiii, pt 1, no 189. L & P. Hen VIII, xvii, no 1143; xx, pt 1, no 244. RPC, i, p. 282.

15. CBP, i, no 166.

the Scottish East March and the Kers, Youngs, Pringles, Burns, Rutherfords and Taites in the Scottish Middle March. These families were not all exclusively lairds, but they did have a substantial amount of gentlemen in their ranks, so the report is fairly accurate. However another English survey of the Scots carried out a few years later records the surnames on the Border who were 'not landed' and proceeds to list Brounfields, Trotters, Dicksons, Youngs, Davidsons, Pringles, Burns and Taites with their chief men. This confusing list does not regard the chiefs of the surname groups as lairds, although the majority of them ranked as lesser lairds and were certainly landed. Another list of 1590 has omissions and mistakes, but at least tries to note who the actual lairds were. There was a great deal of English interest in the Scottish gentry in the 1580s and 1590s, of which these reports were a sample, but as early as 1544 there were problems of definition as captured Brounfields and Dicksons¹⁶ were referred to as gentlemen.

The definition of a laird was problematical in the sixteenth century and remains so for the purposes of twentieth-century research. The appendix of this chapter lists the 306 traceable lairds in the Eastern Scottish Borderland. A laird was normally a landed man holding at least two husbandlands of land (approximately fifty-two acres), as a holding smaller than this would have made him a statusless yeoman farmer. The Teviotdale surname of Hall has been excluded as there are no surviving records of their landholding to prove or disprove their status. The sixth Lord Home certainly had no respect for the Halls as lairds, for he

16. Hamilton Papers, ii, p. 745. RPC, iv, pp. 783-4. C.H. Hunter Blair, 'Scottish Borderers of the Sixteenth Century', HBNC, xxvii, (1932-4), pp. 90-4. This list incorrectly puts the Youngs, Davidsons, Pringles, Taites and Burns in the East March instead of the Middle March and the Rutherfords in Liddesdale instead of the Middle March.

tortured Hall of Heavyside in 1604 for his infamous reiving activities. The Burns were equally notorious, but there is enough evidence to identify two of them as lairds¹⁷ and the Robsons had only one identifiable laird, who left his core group of kinsmen in the Jedforest area to settle near Dryburgh Abbey.

18

Table One. The Stratification of the Lairds.

Bonnet Lairds. (15)

Birgham of Birgham.
Craw of Renton.
Craw of Upsettlington Shiels.
Davidson of Harden.
Davidson of the Kaims.
Davidson of Marchcleuch.
Davidson of Wooden.
Dickson of the Loanhead.

Duns of East Borthwick.
Fairbairn of West Gordon.
Home of Middlethir.
Ker of Bloodlaws.
Ker of Softlaw.
Ker of Templeland.
Pringle of Fans.

Lesser or bonnet Lairds. (33)

Brounfield of Farnyrig.
Brounfield of Howlawhead.
Brounfield of Whiteside.
Burn of Coate.
Cairncross of Birksneep.
Davidson of Easter Fowmerton.
Douglas of Bankend.
Fala of Wells.
Frissell of Quarrelbush.
Hog of Old Roxburgh.
Home of Chirnside East Mains.
Home of Crumiecruke.
Home of the Fleurs of Coldingham.
Home of Simprim.
Home of Whiterig.
Ker of Kerchesters.
Ker of Lauder.

Ker of Melrose.
Nisbet of Nether Raecleugh.
Paxton of Auchencrow.
Pringle of the Bents.
Pringle of Tanlaw.
Purves of that Ilk.
Pyle of Millheugh.
Rutherford of Cleethaugh.
Rutherford of the Know of Nisbet.
Rutherford of the Walls of Nisbet.
Tait of the Stankford.
Trotter of Fogo.
Trotter of Fogorig.
Trotter of Foulshotlaw.
Trotter of Harcarse.
Trotter of the Netherhall of Sisterpath.

17. See appendix. RPC, vi, pp. 186, 604.

18. This table is based on the appendix. It should be noted that Cockburn of Langton and Heriot of Trabrown were both Berwickshire lairds and were not from East Lothian as stated in Donaldson, op cit., p. 105.

Lesser Lairds. (218)

Ainslie of Falla.
 Ainslie of Thickside.
 Angus of Hoprig.
 Aitchison of Slighhouses.
 Auchinleck of Cumledge.
 Bog of Burnhouses.
 Borthwick of Collielaw.
 Brounfield of Eastfield.
 Brounfield of Gordon Mains.
 Brounfield of Greenlawdean.
 Brounfield of Hardacres.
 Brounfield of Nether Mains.
 Brounfield of Pittlesheugh.
 Brounfield of Tenandry.
 Brounfield of Todrig.
 Brounfield of Whitehouse.
 Burn of Elisheugh.
 Cairncross of Allanshaws.
 Cairncross of Calfhill.
 Carmichael of Edrom.
 Chirnside of Whitsomelaws.
 Cockburn of East Borthwick.
 Cockburn of Caldra.
 Cockburn of Stobswood.
 Cockburn of the Woodhead.
 Cranston of Falwoodshiel.
 Cranston of Kirkhill.
 Craw of Flemington-Fluris.
 Craw of Gunsgreen.
 Craw of East Reston.
 Craw of Swinwood.
 Davidson of Samieston.
 Dickson of Belchester.
 Dickson of Bughtrig.
 Dickson of Herdrig.
 Dickson of Kames.
 Dickson of Overmains.
 Dickson of the Peel.
 Dickson of Whitrig.
 Douglas of Mordington.
 Douglas of Timpendean.
 Duns of Grueldykes.
 Edgar of Flass.
 Edgar of Wedderlie.
 Edington of that Ilk.
 Edington of Harcarse.
 Ellem of Bassendean.
 Ellem of Butterdean.
 Ellem of Renton.
 Erskine of Shielfield.
 French of Thornydykes.
 Frissell of Overton.

Galbraith of Easter Windshiel.
 Gladstone of Cocklaw.
 Graden of Earnslaw.
 Graden of Langrig.
 Grahamslaw of Newton.
 Haig of Bemersyde.
 Haitlie of Broomhill.
 Haitlie of Hurdlaw.
 Haitlie of Lambden.
 Haitlie of Mellerstain.
 Haitlie of Sneep.
 Haliburton of Mertoun.
 Haliburton of Muirhouselaw.
 Haliburton of Newmains.
 Hamilton of St John's Chapel.
 Hangingside of that Ilk.
 Hepburn of Fairnington.
 Hepburn of Rollandstoun.
 Heriot of Trabrown.
 Home of Bassendean.
 Home of Bellitaw.
 Home of Blackadder East.
 Home of Blackadder West.
 Home of Blacksmill.
 Home of Broomhouse.
 Home of Carolside.
 Home of Cheeklaw.
 Home of Cranshaws.
 Home of Crossrig.
 Home of Crumstane.
 Home of Edrom.
 Home of Fairnieside.
 Home of Fans.
 Home of Fishwick.
 Home of Framepath.
 Home of Godscroft.
 Home of Hardiesmill.
 Home of Hilton.
 Home of Hutton.
 Home of Hutton Bell.
 Home abbot of Jedburgh.
 Home commendator of Jedburgh.
 Home of Lauder.
 Home of the Law.
 Home of Ninewells.
 Home of Prenderquest.
 Home of Reidheuch.
 Home of Renton.
 Home of West Reston.
 Home of Rollandstoun.
 Home of Slegden.
 Home of Tinnis.

Home of Whitchester.
 Hunter of Williamlaw.
 Ker of Broomlands.
 Ker of Cavers.
 Ker of Chatto.
 Ker commendator of Coldstream.
 Ker of Corbethouse.
 Ker of Dalcove.
 Ker of Gateshaw.
 Ker of Graden.
 Ker commendator of Kelso.
 Ker of Kippilaw.
 Ker of Lintalee.
 Ker of Linton.
 Ker of Lochtower.
 Ker of Mainhouse.
 Ker of Maisondieu.
 Ker of Mersington.
 Ker of Middlemist Walls.
 Ker of Milnrig.
 Ker of Newhall.
 Ker of Little Newton.
 Ker of Newton.
 Ker of Ormiston.
 Ker of Oxnam.
 Ker of Raperlaw.
 Ker of Redden.
 Ker of Old Roxburgh.
 Ker of Shaws.
 Ker of Shielstockbraes.
 Ker of Sunderlandhall.
 Ker of Whitmuir.
 Ker of Whitmuir Hall.
 Ker of Yair.
 Kirkton of Stewartfield.
 Lauder of Burngrange.
 Lauder of Edington.
 Lauder of Muircleugh.
 Lauder of Newbigging.
 Lauder of Whitslaid.
 Linlithgow of Drygrange.
 Lumsden of Blanerne.
 Lumsden of Rikilside.
 MacDougal of Floors.
 MacDougal of Manorhill.
 MacDougal of Stodrig.
 Mow of that Ilk.
 Mow of Mow Mains.
 Newton of Graden.
 Nisbet of Raashill.
 Nisbet of Spital.
 Nisbet of Swansfield.
 Ormiston of Grahamslaw.
 Ormiston of Old Melrose.

Ormiston of Easter Muirdean.
 Ormiston of Westhouses.
 Pringle of Nether Blainslie.
 Pringle of Blindlee.
 Pringle of Buckholm.
 Pringle of Charterhouse.
 Pringle of Clifton.
 Pringle of Craigleith.
 Pringle of Hownam.
 Pringle of Langmuir.
 Pringle of Muircleugh.
 Pringle of Muirhouse.
 Pringle of St John's Chapel.
 Pringle of Slegden.
 Pringle of Stitchill.
 Pringle of Torquhan.
 Pringle of Torwoodlee.
 Pringle of Trinlyknowe.
 Pringle of Westhousebyre.
 Pringle of Whytbank.
 Pringle of Wrangholm.
 Purves of Purvishaugh.
 Ramsay of Wyliecleuch.
 Redpath of Angelraw.
 Redpath of Crumrig.
 Redpath of Greenlaw.
 Redpath of that Ilk.
 Redpath of Rowchester.
 Redpath of Todrig.
 Renton of Cockburnspath Shiels.
 Riddall of that Ilk.
 Robson of Gledswood.
 Rule of Peelwalls.
 Rutherford of Chatto.
 Rutherford of Edgerston.
 Rutherford of the Grange.
 Rutherford of Grundiesnucke.
 Rutherford of Longnewton.
 Rutherford of Littleheuch.
 Scott of Haughhead.
 Seton of Gordon.
 Shoreswood of Bedshiel.
 Sinclair of Blainslie.
 Sinclair of Longformacus.
 Sleigh of Birkiniside.
 Sleigh of Cumledge.
 Sleigh of Otterburn.
 Spence of Chirnside Mains.
 Spottiswoode of Quhitlie.
 Spottiswoode of that Ilk.
 Spottiswoode of Whinrig.
 Stewart of Eildon.
 Tait of Cherrytrees.
 Trotter of Catchelraw.

Trotter of Chesters.
 Trotter of Printonan.
 Trotter of Ryslaw.

Trotter of the Overhall of
 Sisterpath.
 Young of Otterburn.
 Young of Feltershaws.

Greater Lairds. (40)

Bennet of Chesters.
 Cairncross of Colmslie.
 Chirnside of East Nisbet.
 Cockburn of Choicelee.
 Cockburn of that Ilk.
 Cockburn of Langton.
 Cranston of Corsbie.
 Cranston of Thirlestane Mains.
 Douglas of Bonjedward.
 Douglas of Melrose.
 Edmonston of that Ilk.
 Hepburn of Whitsome.
 Home, Lord and laird of Home.
 Home of Ayton.
 Home of Cowdenknowes.
 Home of Eccles.
 Home of Huttonhall.
 Home of Manderston.
 Home of Polwarth.
 Home of Spott.

Home of Wedderburn.
 Ker of Ancrum.
 Ker of Cessford.
 Ker of Faldonside.
 Ker of Ferniehurst.
 Ker of Hirsell.
 Ker of Primsideloch.
 Lauder of that Ilk.
 MacDougal of Makerstoun.
 Maitland of Thirlestane.
 Nisbet of that Ilk.
 Ormiston of that Ilk.
 Pringle of Galashiels.
 Pringle of that Ilk.
 Ramsay of Dalhousie.
 Renton of Billie.
 Rutherford of Hundalee.
 Rutherford of Hunthill.
 Seton of Greenknowe.
 Swinton of that Ilk.

The bonnet laird was the most humble type of laird. He usually worked his own land, rather than subletting to tenants and had a holding as small as fifty-two acres (two husbandlands). They did not normally hold any offices. Adam Birgham of Birgham is a good example of a Border bonnet laird as he only held two husbandlands, yet he held this land directly from the crown and went to the expense of registering his charter under the great seal.¹⁹ Several of the entries in the appendix refer to lairds who were lesser or bonnet lairds, because there is no evidence of whether they farmed their own land or sublet. The majority of the lairds leased the bulk of their property, leaving only a small demesne or home farm in their own hands, to supply provisions for their household.

19. RMS, v, 1817.

There was a peculiar category of laird who held the anomalous title 'alias laird'. The exact derivation of this designation is unknown, but they were landholders in their own right. James Hog 'alias laird Hog' had at least three husbandlands in Old Roxburgh and Town Yetholm in 1545, William Paxton 'alias laird Paxton' had six husbandlands at Auchencrow in 1576 and Alexander Purves 'alias laird Purves' held four ploughgates (416 acres) and sixteen husbandlands²⁰ in Earlston in 1553. The alias lairds varied therefore from the humble to the substantial, so they cannot have been mere pretenders to the title of laird. Richard Spence of Chirnside Mains was 'callit laird Spens' in 1583 by an irate minister owed five years' teinds, so there may have been some social sneer inherent in the title, but it is perhaps just another indication of how confused the middle order of society was at this time.

The lesser lairds for the purpose of this study have been classified as small barons, small landholders, portioners, wadsetters and dependant lairds.²¹ They did not usually hold high-ranking offices, but were often jurors or deputies. Their wealth, landholding and local power were enough to put them above the rank of the bonnet lairds, but was not sufficient to allow them into the ranks of the greater lairds. Wadsetters and portioners are rather vague descriptions, for lairds of all strata could be wadsetters (that is a holder of a wadset or mortgage) and a portioner could be the holder or co-heir of a small or a large portion of land. Wadsetters as a separate class of landholders really belong to the

20. CC8/8/14 f. 236. RMS, iv, 1613, 2128. William Broun alias Laird Broun in Eyemouth had only one husbandland and has therefore been discounted as this is below the qualification of two husbandlands used to determine a bonnet laird.

21. Adapted from the table in C. Lerner, Enemies of God, p. 45.

seventeenth century, but portioners were commonplace in the sixteenth century. The Homes of Blackadder were consistently called 'portioners' as joint proprietors of the sizeable Blackadder estate.²² They were undoubtedly of the rank of lesser lairds, but were never called 'of Blackadder', only portioners thereof. A portioner should therefore not be rejected as a laird until there is proof of landholding below two husbandlands.

Small barons were few in number, but there were many dependent lairds. The small barons were holders of geographically small baronies that yielded them little local power, yet gave them status nonetheless. The Ellems of Butterdean, Edingtons of that Ilk and Rutherfords of Edgerston are clearly identifiable as small Border barons, but dependent lairds have not been distinctly identified before, probably because the concept of a laird being dependent on another laird seems anomalous. Many of the Border lairds belonged to this category and were often linked to the greater lairds by bonds of kinship or manrent (that is a political bond rather than an alliance based on blood relationship). Their holdings were sufficiently large to enable them to hold the rank of a lesser laird, rather than a bonnet laird. The Davidsons of Samieston held land from greater lairds worth forty shillings a year of 'old extent' (a medieval tax assessment) which was actually worth far more than forty shillings in real terms by the sixteenth century. This gave the Davidsons clear laird status in the community. The Brounfields of Hardacres held land worth four pounds a year of old extent from Lord Home, whilst the Kers of Gateshaw held land from their kinsmen the Kers of Cessford and the Rutherfords of the Grange were dependent on their kinsmen the Rutherfords

22. GD 267/31/24. RMS, iv, 1290, 2357.

23
of Hundalee.

The remaining lesser lairds were all small landholders holding land in chief or in feu from monasteries, the church or the crown. There were also four lay commendators of religious houses in this stratum of lairds who held part of their monasteries' lands in their own right. The lesser lairds' wealth ranged from that of the Brounfields of Greenlawdean who were very substantial lesser lairds to the Homes of Hardiesmill who probably only held land as servants of Lord Home and the Scotts of Haughhead who held a feu charter from Jedburgh Abbey worth only £4-6-8 Scots a year. Feuars were particularly well represented amongst the small landholders, owing to a burgeoning in the amount of feu charters granted in the sixteenth century.²⁴ Although feuars came from all levels of Scottish society there were a proportion of them who entered the ranks of the lairds. There was no precedent for this, but the charters gave them legal entitlement to lands sufficient to merit the dignity of a laird on payment of an annual feu duty. They may well have held these lands as unsecured kindly tenants prior to being granted a feu charter. However, much confusion remains as to who the small landholder lairds were.

Both Margaret Sanderson and Craig Madden refer to feuars designated 'of' a property as being of laird status, whilst those designed 'in' as being below the class of laird.²⁵ This can be a misleading definition for lairds could be described as being 'in' or 'of' a property. Madden notes that Pringle of Torwoodlee was a substantial feuar of land in Ettrick

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23. RD1/28 f. 405. Retours, ii, Roxburgh, no 23. A. Stevenson, 'Taxation in medieval Scotland', in Atlas of Scotland, ii, section 6.
 24. M.H.B. Sanderson, Scottish Rural Society in the Sixteenth Century, pp. 78-105.
 25. Sanderson, *op cit.*, pp. 78-9. C. Madden, 'The Feuing of Ettrick Forest', IR, xxvii, (1976) pp. 79-81.

Forest in the 1540s, but was not a laird because he was called 'in Torwoodlee'. However in 1548 Pringle is referred to as 'of Torwoodlee' in the Register of the Privy Seal and thus merits the title of laird. Pringle of Blindlee is equally confusing as he was termed 'in Blindlee' in 1543, 1555 and 1578, but was 'of Blindlee' in 1558.²⁶ Both men had landholding enough to qualify as lairds and it would be ridiculous to omit them from the ranks of the lairds when a man with a mere two husbandlands could call himself a bonnet laird. For instance John Stewart, feuar of the Melrose Abbey lands of Eildon, subinfeudated to no fewer than twenty-one tenants in 1570.²⁷ The feuing system was too rapidly established to fit into the traditional niches of Scottish society which had to expand its middle ranks to accommodate a novel and ragged confusion of status.

The feuars were not an isolated example of the muddled 'in' and 'of' derivatives, for the lesser lairds were not consistently called 'of' either. Alexander Brounfield of Eastfield, Robert Dickson of Bughtrig, Alexander Trotter of Chesters and Bartholomew Spence of Chirnside Mains are just four examples of lairds called 'in' and then 'of' their respective properties within the space of a few years.²⁸ Only after looking at evidence of these individuals' landholdings can they be identified as lairds. Lencie Ker of Little Newton is another example. He held too much land to be a non-laird, but this confusion of title may have stemmed from the multiple ownership of Little Newton by other lairds such as Ker of Dalcove, Lord Home, Hangingside of that Ilk and Henry Haliburton

26. RSS, iii, 299, 2676; iv, 2905; v, 537; vii, 1624.

27. CS7/45 f. 253. GD55/607. RD1/15 f. 166. SC62/2/1. RMS, iv, 1624.

28. CC8/8/33 CC8/8/40 f. 176. RMS, iv, 1689, 1738; v, 954, 2343; vi, 1674. HMC, Marchmont, nos 63, 65.

29
of Mertoun. All the lesser lairds in the appendix have lands of the size to merit their status.

The greater lairds are far more easily identified for they held extensive tracts of land, usually in chief. Their wealth varied according to their land and success in the political stakes of the period, but it was overall greater than that of the lesser lairds. Greater lairds were more likely to hold important offices than lesser lairds and knights were exclusively chosen from their rank. In Scotland a knighthood was not a usual dignity bestowed on the eldest son of a tenant-in-chief as it was amongst the English gentry. The Scottish crown usually chose to bestow knighthoods as a personal honour to favourites only at coronations and royal baptisms. At the lower end of this strata were families such as the Swintons of that Ilk, who had failed to take advantage of sixteenth-century opportunities to enlarge their estates like the dominant Homes of Cowdenknowes, Wedderburn, Manderston and Huttonhall had, but they were barons nonetheless and attended parliament by individual summons (which was a privilege denied to other lairds before 1587). At the top end of this rank were the wealthy and powerful surname chiefs, Ker of Cessford,
30
Ker of Ferniehirst and Lord Home. They had a broad power base that made them the elite of the Scottish lairds, but they had a common denominator with even the most humble bonnet laird, namely that they held land of the King, whether in chief (direct from the crown) or in feu from a noble, laird, church or monastery (indirectly). They were also all categorized as gentlemen by their contemporaries, even if the exact terminology of

29. CC8/8/6 f. 75 CC8/8/25 ff. 311-13. SC62/2/5. NRAS859/112/2. RMS, v, 914. RPC, v, pp. 586, 650.

30. The Cockburns of Langton were surname chiefs as well, but were not as wealthy as the others. L & P. Hen VIII, xviii, pt 1, no 12.

'laird' caused much confusion.

II. Mobility, Marriage and Kinship.

There were 306 laird families in the Eastern Borders from 1540-1603, but this figure was never static as families died out, sold out or were newly established.

Table Two. Laird Families, 1540-1603.

Year	No of Families*	Families	
1540	148	Died out in the male line	29
1570	268	Lost or sold their estates	4
1603	267	New families to the area	3
Total 1540-1603	306	Cadet branches established	50

* Based on all the families listed in the appendix. Sources are not as plentiful for 1540 as they are for 1570 and 1603.

The numbers of lairds extant during this period compares directly with³¹ the numbers of English gentry in north Northumberland and North Durham.

The sample years were chosen at random, but the numbers seem to have been maintained. There were only three noticeable differences between the lairds and gentlemen. Firstly there were proportionally fewer new families in Scotland. Secondly there were more cadet branches formed in Scotland and thirdly fewer lairds lost or sold their estates. The first and second observations cancel each other out as the political dominance of Home and Ker laird communities usually entailed the unavailability of a local heiress to outsider fortune hunters, whilst the feuing movement and

31. See chapter two, table one.

the prosperity of many lairds enabled younger sons to form independent branches with ample lands. It was only during the 1570s that two heiresses were stolen from the clutches of the Homes because of the ascendancy of Regent Morton, who married them to favourites in an attempt to improve his political power in the Merse, though he actually heightened local xenophobia by this interference.³² The fact that fewer lairds than gentlemen sold or lost their lands is probably due to the complicated mortgaging (wadsetting) system in Scotland that at times seemed never-ending as renewals were frequently granted.³³

Downward mobility is most conspicuous with the number of lairds who died out in the male line, but their statistic is comparable to England and was normally due to premature death, childlessness or misfortune. The circumstances of the Grahamslaws of Newton are particularly poignant as they lost eight sons within a short time, owing to a bloodfeud with the Turnbells. As only one daughter was left John Grahamslaw decided to dispose of his estates in a dignified manner. He sold his lands to a political ally, Robert Ker, a younger son of Robin Ker of Ancrum and arranged a marriage between him and his daughter Helen at the same time. This measure ensured that his ancestral lands would not be overrun by the Turnbells.³⁴ Other downwardly mobile lairds were in financial difficulties, such as the Haitlies of Mellerstain, or politically weakened lairds like the Haigs of Bemersyde who, despite being an ancient family, were now subservient to the Homes of Cowdenknowes.³⁵

32. See Auchinleck of Cumledge and Carmichael of Edrom. RD1/50 f. 814. Godscroft, *History*, p. 336. See chapter six appendix nos 73, 94.

33. See chapter three pp. 221-23.

34. RD1/24/1 ff. 182, 183. See chapter six appendix nos 11, 25.

35. CC8/8/7 ff. 11-13. CSP Scot, xiii, pt 1, no 299. See chapter three pp. 222-23 and table four.

The upwardly mobile lairds were typified by the Homes whose wealth, power and prestige had been rising since the fall of the Douglasses, but who rose dramatically in the sixteenth century. They capitalized on court favour and their younger sons also benefited from this by establishing themselves as independent lairds. Even dependent lesser lairds such as the Brounfields of Todrig and Whitehouse could be interpreted as being upwardly mobile, if on a much smaller scale. However the majority of the lairds, whether greater, lesser or bonnet lairds were static during the sixteenth century. They probably would have kept pace with inflation, not significantly enough to denote them as being upwardly mobile, but sufficient to keep them at the top of the slope of downward mobility. (The wealth of the lairds will be discussed in chapter three).

Ascendant lairds knew the importance of having a solid land-based power structure behind them. Power through landholding in the Eastern Scottish Borderland was strongly connected to kinship and political dependency of other lairds on the rising lairds for their livelihood. The surname chiefs had the greatest patronage to bestow, but other greater lairds had some patronage to bestow as well.

Table Three. Laird Landholding, 1540-1603.

Principal lands held *	No of lairds
In chief	87
In feu from the Crown	23
In feu from the church or a monastery	49
From another laird	97
From a non-resident noble **	8
From Lord Home	33

* To avoid repetition only the largest portion of an individual laird's

lands have been considered, as many lairds held land in chief as well as from a monastery or in feu. The statistics are based on the appendix and only include known landholding.

** Excludes the Lords Home.

The table confirms that the majority of lairds held land indirectly of the crown, but the actual pattern of landholding is intricate. When compared to England³⁶ there were far more dependent lairds than dependent gentry, owing to the absence of feudal subservience in Scottish landholding. The sharp division between lord and tenant in England was an anathema to the Scottish lairds who had a strong feeling of paternalism and mutual respect for his blood-related kinsmen, surname group and allies (who were not necessarily related to the laird or even called by his surname).³⁷ The significant proportion of feuars in the table are reflective of the general trend towards feuing crown and church lands in the sixteenth century, whilst the small number of lairds holding land from non-resident nobility is a reminder of medieval land grants in the Eastern Borders. The earls of Angus still expected loyalty from their laird tenants, such as the Homes of Wedderburn, but it is not known how the other nobles reacted as their laird tenants may only have given sufficient loyalty to ensure the renewal of a charter whilst being politically allied to a local greater laird. This was certainly the case with the Kers of Linton who held land from the Lords Somerville, but gave allegiance to their kinsmen the Kers of Cessford.

The Kers and the Lords Home had a high number of lairds dependent on them because of their strong kinship links in the Borders, but their laird tenants also included non-kinsmen (that is lairds not related by blood,

36. See chapter two, table three.

37. T.I. Rae, The Administration of the Scottish Frontier, pp. 7-8.

marriage or even surname). Therefore Kers, Burns and Youngs of East Teviotdale were 'friends and servants of the laird of Cessford' as well as being tenants and political allies of the Kers of Cessford.³⁸ Lesser lairds had dependents as well for Dand Ker in Linton called Ker of Linton 'his master' in 1582. The Rutherfords were known dependents of the Kers of Ferniehirst, despite both being greater lairds, but this was connected to bonds of manrent that will be explained later in this chapter.³⁹

The government in the second half of the sixteenth century tried to make kin chiefs responsible for their kinsmen's action or misdeeds, but this was almost an impossible task. In 1602 Ker of Cessford (Lord Roxburgh) tried to shirk his responsibilities' claiming that wrongdoers in Morebattle were not his direct tenants as they held land from Ker of Corbethouse, who in turn feued this land from Cessford. The pyramid of kin dependency was clearly demonstrated in this case as Cessford held the land direct from the King which he then feued to Corbethouse, who then leased the land to Mark Ker in Morebattle.⁴⁰ It was very likely that Cessford expected loyalty from Corbethouse when necessary, but he did not want to be held responsible for his subtenants' misdeeds in return. A Day of Truce (Border meeting), for instance, required visible support from fellow countrymen, many of whom were kinsmen and allies of the warden, to show equal or superior force to the opposite English warden. Lord Home had 300 horsemen with him in 1560 for just such a meeting and the majority

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38. APC, xxvi, p. 560. CSP Scot, viii, no 351; xiii, pt 2 no 724. HMC, Salisbury, vii, p. 240.
 39. CC8/8/11 ff. 100-01. CSP Scot, xii, pt 2 no 526. See pp. 52, 69-71 below.
 40. RPC, vi, p. 387. For similar examples see RPC, iv, pp. 69-70, 211, 789; vi, pp. 406-07.

would have been his dependent lairds such as the Brounfields, Dicksons and Trotters with their tenants. The Kers of Ferniehirst could also depend on⁴¹ massive support from Jedforest lairds and tenants.

In both the English and Scottish Eastern Borders the landed men were concerned about the passing of their lands to future generations. Direct kinship, rather than general dependency came to the fore in such matters with deeds of tailzie (anglice entail). The Kers of Cessford were obsessive about their lands remaining in kinsmen's hands and thus made repeated tailzies which entailed to the Kers of Newbattle, Faldonside, Littledean, Primsideloch, Mersington, Linton and Gateshaw in descending succession of importance. The Kers of Littledean recorded their own tailzie that included the Kers of Cessford, Faldonside and Graden, and the Pringles of Galashiels did likewise in 1586, mentioning Pringle of Whytbank and a Pringle burgess of Peebles. The Kers of Ferniehirst entailed their lands to fewer kinsmen than their rivals the Kers of Cessford, as they only list the Kers of Ancrum and Cavers. Tailzies could work up as well as down the social scale as Alexander Home of Huttonhall reinforced his kinship to Lord Home by including him in his tailzie in⁴² 1587. A more unusual example of kinship and inheritance interacting occurred when the Homes of Blackadder East and West agreed to reunite the Blackadder estate, that had initially been divided between two heiresses in 1541. David Home of Blackadder West had no sons, but did have three daughters in 1598, so he agreed to sell his portion of land to John Home⁴³ of Blackadder East, in return for £3000 Scots payment to each daughter.

41. CSP For, 1560-1, no 1. RMS, v, 1382. TA, xiii, pp. 348-81.

42. RMS, iii, 2649, 2784; iv, 489, 912, 2213; v, 916, 1265, 1889. For English examples see chapter two pp. 149, 152-3.

43. GD362/36/3 GD362/36/7/2.

Tailzies were also important in marriage arrangements. The Cranstons of that Ilk were determined to keep their lands within the surname of Cranston when they were facing extinction through lack of a male heir in 1580. They therefore chose a very distant kinsman Mr William Cranston, a younger son of John Cranston of Morriston to be a son-in-law and heir, probably owing to a long-standing friendship between their fathers.⁴⁴ This arrangement was nearly scuppered by the birth of an heir to Cranston of that Ilk after the marriage, but the child cannot have survived infancy as Mr William Cranston did inherit the Cranston lands.

Lairds' marriages were inextricably connected to existing kinship within their communities in the Eastern Borders, but they were also an opportunity to form new kinship links. Information about the marriages of the heads of greater laird families is plentiful, but less is known about the marriages of lesser and bonnet lairds. Sometimes the name alone is recorded, giving no indication of where exactly their wives came from, although the surname enables an approximate geographical location. Children, where they are known, usually have no indication of who their mother was. This is straightforward if a laird only married once, but causes confusion if there were several marriages. However it is possible to give a general analysis from the material available.

Table Four. Lairds' First Marriages.

Stratification	Within the E. Borders.	Outwith the E. Borders.
Greater lairds	51	45
Lesser lairds	149	58
Lesser/bonnet lairds and bonnet lairds	3	1

44. RD1/19 f. 175. RMS, v, 353, 2107. RSS, v, 1268; viii, 1541. For English examples of this see chapter two pp. 151-52.

Table Five. All Laird Marriages, 1540-1603.*

Married down a stratum	31	Married within 10 miles	96
Married in the same stratum	241	Married endogamously	48
Married up a stratum	64	Married merchants' daughters	1
Total marriages recorded	336	Married Englishwomen	1

* Includes all known first, second and third marriages.

The pattern of marriages amongst the lairds is very similar to the English gentry across the Border.⁴⁵ The wealthier lairds had more ex-Border marriages than the poorer lairds, the majority of whom tended to marry locally and within their own stratum. There were proportionally fewer marriages within a ten-mile radius in Scotland, but there were far more endogamous marriages than in England. Direct blood-related kinship was strong on both sides of the Border, but the power of wide surname kinship seems to have been more powerful in Scotland, hence the greater proportion of endogamous marriages. There was only one recorded laird marriage with a merchant family (Brounfield of Greenlawdean), probably because the Eastern Scottish Borders did not have an equivalent to the strong lure of Newcastle. However the burghs were not totally overlooked by the lairds, as the relative success of the burgesses of Edinburgh did⁴⁶ attract the attention of their younger sons. There were very few cross-border marriages on the English side of the Border and few English brides are recorded in Scotland at the level of laird, perhaps because of

45. See chapter two, tables four and five.

46. See chapter four pp. 302-04. The Brounfields of Greenlawdean undoubtedly benefited from their marriage to a burgess's daughter who also happened to be a niece of the powerful clerk register, James MacGill of Nether Rankeillor.

mutual suspicion amongst the landed families.

Marriage links between the Ker, Home and Pringle laird communities were fairly commonplace, but there were very few between the East and West Borderland which again reflects the sharp social divide between these areas and where such marriages were arranged between the Kers and the Scotts they mostly failed as they were linked to the pacification of their feud. Marriages between the friendlier Homes and Pringles included William Home of Bassendean to Marion Pringle of Whytbank, Katherine Home of Polwarth to Robert Pringle of Blindlee and Sir David Home of Wedderburn who married the widow of James Pringle of Whytbank, Margaret Ker of Linton. Another Pringle and Ker alliance was between David Pringle of Slegden and Maisie Ker of Yair. The amicable Ker and Home links were typified by the marriage of Margaret Ker of Cessford to the fifth Lord Home and that of Robert Ker of Ancrum to Isabel Home of Wedderburn.

The marriage between Lord Home and a Ker of Cessford was remarkable as it was seemingly a downward step for Home. The Scottish nobility normally intermarried exclusively within their own rank, but this union was not insignificant to the Borderers. They saw two local kin chiefs cementing their friendship and mutual respect for each other in a marriage contract. It did not matter that one was a nobleman and the other only a laird as both men were equally powerful in their own localities. The Kers would nonetheless have been delighted by the match, for in later years the marriage of the daughter of this union to the Earl Marischal was thought to benefit the Kers. The Kers of Ferniehirst also intermarried with the nobility when one of their daughters married Lord Hay of Yester in 1559. This marriage drew no adverse comment from contemporaries as the Kers of Ferniehirst were really equivalent to nobility, for all they lacked was a

title. There were rumours that the sixth Lord Home would marry a Ker of Cessford cousin in 1584, but this came to nothing as political marriages were then in vogue.⁴⁷ In the 1580s powerful figures of central government such as the earl of Arran and Maitland of Thirlestane dabbled in Border affairs and the marriages of Andrew Ker of Ferniehirst to Anna Stewart of Ochiltree in 1584 (Arran's niece) and that of Robert Ker of Cessford to Margaret Maitland in 1587 (Maitland's niece) were the result. The latter marriage gave Maitland more trouble than he could have anticipated as Robert Ker turned out to be the epitome of a delinquent juvenile, murdering William Ker of Ancrum in 1590 and continually causing trouble across the Border. Young Cessford aggrieved his peace-loving cousin Lord Home as well and there had even been trouble at the time of his wedding. The ceremony had to be postponed for two days as Cessford had just been involved in a skirmish with English Borderers.⁴⁸ This had greatly offended James VI who put him into ward the day after the wedding.

Kinship through marriage was significant, (if embarrassing in Maitland's case), amongst the lairds and the nobility of Scotland. English observers certainly recognised this by trying to work out the kinship of the nobility in the style of a list on several occasions. There were drawbacks to these lists as a marriage did not guarantee military support in a feuding situation or necessarily help the pacification of a feud,⁴⁹ but this does not mean that kinship by marriage

47. CSP Scot, vii, no 26; x, no 35. CBP, i, no 70. See appendix.

48. GD40/2/10/57. CBP, i, no 574. CSP Scot, vii, no 498; x, no 507; xii, pt 1 no 124. HMC, Salisbury, iii, p. 73. See chapter six, appendix no 17.

49. SP52/51/80. CSP Scot, x, no 53. C. Rogers, *Estimate of the Scottish Nobility*, Grampian Club, vi, (1873). J. Wormald, *Lords and Men in Scotland: Bonds of Manrent 1442-1603*, p. 79 and 'Bloodfeud, Kindred and Government in Scotland', P&P, lxxxvii (1980), pp. 67-8 dismisses the role of marriage in kinship too readily.

was generally ineffective. The Home, Ker and Pringle marriage alliances prove that kinship via marriage was important amongst the laird communities of the Eastern Borders and they were known to help each other in feuds, but kinship was much broader than this.

Scottish kinship encompassed a mutual respect for blood-relationships, endless cousinage, surname and at its widest point it also included landholding and political alliances. The strength of kinship ultimately depended on how strong the participants wished it to be, but in the Borders the lesser lairds and their tenants knew the importance of being loyal to greater lairds and surname chiefs, particularly if they held land or offices from them. Lesser lairds were also loyal to their fellow kinsmen and expected the same in return for in 1572 the Ainslies had to find caution of 1000 merks to burn the house of their kinsman and rebel, William Ainslie of Falla. The caution had to be enforced because they had⁵⁰ previously been reluctant to carry out this action against a kinsman.

The greater lairds were, however, remarkably distinct from the lesser lairds in their kin loyalties. Their self-interest became an increasingly prominent disruption of kinship in the Eastern Borders in the sixteenth century. The numerous feuds listed in the appendix of chapter six bear witness to the divided and inconsistent kin loyalties of the greater lairds when feuding. Rising lairds with political aspirations at court were all too willing to break their traditional bonds of kinship to further their careers. The Home lairds were prime exponents of disloyalty to their kin chiefs in the 1560s, 1570s and 1580s. These lairds were according to Camden 'a noble and faire spread familie' whose ascendancy in

50. RPC, ii, pp. 127-8.

the sixteenth century had given them a certain independence from the Lords Home and led to them being noted in 1577 as 'sondrey gentlemen of goode power and lyving of their surname'.⁵¹ This had resulted from deliberate crown and faction interference with kin groups such as the Homes, which will be discussed later. It was an effective policy with the Homes as it guaranteed their support when their Lord and kin chief was disloyal.

The fifth Lord Home failed to command the respect his father the fourth Lord Home had enjoyed from the greater Home lairds. The Home lairds had devotedly followed the fourth Lord during his brave resistance against English aggression in the 1540s, steadfastly refusing to assure to England when many other lairds gave into English pressure. However this loyalty was shattered by the political and religious upheavals of the late 1550s, when Scotland generally became divided between pro-French and pro-English factions. Inconsistent leadership by the fifth Lord in the 1560s saw him fighting against his own kinsmen such as Wedderburn and Blackadder with only a few lairds such as Broomhouse supporting him. He was finally deserted by all his kinsmen in 1569 when he made a decision to rejoin the Marian party.⁵² Lord Home was not alone in this return, but his kinsmens' refusal to join him is significant.

The Lords Home did not have the territorial magnitude of the earls of Huntly as they were more akin to the earls of Errol in local strength, yet until 1560 they had been able to rally their kinsmen to dominate the Merse. Huntly, for all his superiority, was similarly deserted by his kinsmen at the battle of Corrichie in 1562, which is a good indication of the upheavals of the 1560s, but his son quickly managed to recoup their strong

51. SP52/27 f. 51. Camden, Britannia, p. 10.

52. See pp.100-02. NRAS2177/2690. Godscroft, History, pp. 295-6, 311. Calderwood, History, iii, pp. 100-01.



kin domination whilst Home did not. The Homes of Manderston and Cowdenknowes were openly hostile to Lord Home in the early 1570s while the other Home lairds were more subdued in their opposition to him, silently refusing to join him. An erroneous English report of 1570 stated that⁵³

my lord Hume and almost all the gentlemen in Tevydale
Marsh and Lowdyan were knitt together in such frendship

Home had very few friends at this time, especially amongst his kinsmen and his death in 1575, leaving a young son did not help the restoration of his famiy's status as kin chiefs.

The Homes of Wedderburn are recorded as being unstintingly loyal kinsmen to the Lords Home as their kin chief by David Home of Godscroft, a younger son of this family who wrote a unique (if inaccurate) family history in Renaissance Latin called De Familia Humia Wedderburnensi. The sincerity of these Homes is, however, dubious for several reasons. They were bound in manrent to the earls of Angus, rather than Lord Home which meant that they had to support Angus and not Home in any conflict of interest. Godscroft himself idolized the earls of Angus in a History of the House and Race of Douglas and Angus also known as The Lyves of the⁵⁴
Illustrious Familie and Name of Douglas. During the mid 1560s David Home of Wedderburn fought on the Queen's side against Lord Home, but he left her allegiance in 1568 when she fled to England. Considering his sympathy with Mary's cause it is surprising that Wedderburn did not follow Lord Home in his return to the Queen's party in 1569. Godscroft insists that

53. Sadler Papers, ii, p. 114.

54. See chapter six appendix no 54. Wormald, Lords and Men, p. 176. There is a contemporary manuscript copy of Godscroft's family history in the Scottish Record Office, GD267/2/4. The manuscript of the history of the Douglasses has recently been rediscovered after a lengthy search by the author. It had been lost since the 1920s, but is now available as NRAS2177/2690.

his father did not accept any of Lord Home's property when he was forfeited in 1573, which may well be true as he died in 1574, but the assertion that his brother George did not take any profit from Lord Home's teinds of Greenlaw is dubious for in an era of inflation it was impossible not to profit from a teind lease.⁵⁵ Wedderburn's loyalty was also questionable in 1573, for when Lord Home needed financial sureties he was noticeably absent yet Polwarth, North Berwick, Huttonhall and even the grasping Manderston obliged Lord Home.

Godscroft's often quoted reference to his family's absolute loyalty to Lord Home may be poetically pleasing, but it is a misunderstood exaggeration. The remark was supposedly made by George Home of Wedderburn to Regent Morton in 1578, when Wedderburn was trying to force the⁵⁶ restoration of the sixth Lord Home to his lands and title

You never got any good of that house.....you will get but small thanks for your pains: Sir George answered that the Lord Home was his chief, and he could not see his house ruined..... he thought himself bound to do, and for his own part, whatsoever their carriage were to him, he would do his duty to them, if his chief should turne him out at the foredoore, he would come in again at the back-doore.

Godscroft wrote this in 1625, nearly fifty years after these events took place, so his memory may have been romanticizing his brother's exploits. Godscroft was, amongst his many talents, a poet and poetic licence was certainly adopted here. His brother may well have been party to the restoration of the sixth Lord Home in 1578, but he was not the sole perpetrator of it. In fact Wedderburn was the only Home laird still allied to Morton at this time, accepting the office of warden of the East

55. RD1/15 f. 403 RD1/17 f. 183. Godscroft, De Familia, p. 67; History, pp. 52-3.

56. Godscroft, History, p. 344; De Familia, pp. 72-4. Quoted by Wormald, op cit., p. 77, 82 and Sanderson, op cit., p. 171.

March and being granted the favour of his own ward and marriage, which enabled him to marry Jean Haldane of Gleneagles (a kinswoman of the ascendant earl of Mar). Godscroft seemed to have conveniently forgotten that his beloved father had openly feuded with Lord Home in 1567 and that he himself feuded with Lord Home in 1590. There is too much evidence against the absolute loyalty claimed by Godscroft for it to be credible. In reality the Homes of Wedderburn were no different to the other Home⁵⁷ lairds who took advantage of Lord Home's misfortune.

The sixth Lord Home faced a daunting task in 1578. He was only thirteen years old and English reports for once surmised his situation correctly: 'Although his surname and power upon the Borders is very greate' and he had many friends, they 'all follow him not'.⁵⁸ He took responsibility as kin chief, despite his young age, as he was settling an internal Home feud in 1580. His family had come very close to ruination in 1573 with his father's forfeiture, yet by 1600 he had rallied his kinsmen around him. This revival may have been caused by the more moderate opinions of a new generation of greater Home lairds, who were less antagonistic to their chief than their fathers had been to the fifth Lord Home. Their loyalty was made easier by Lord Home's unswerving loyalty to James VI after 1591, when he was greatly favoured by the King. However there was perhaps a more cynical reason for this loyalty for Lord Home was childless. His wife had children from her first marriage, but none from Home and this caused friction in their relationship, according to court gossip.⁵⁹

57. See chapter six appendix nos 68, 132. RSS, vii, 425, 429, 1228. SP, v, p. 609. Godscroft, De Familia, pp. 68, 70-2.

58. Bannatyne Misc, i, p. 68. HMC, Fourth R, p. 537.

59. SP52/57/37. Home had children from his second marriage, post 1606.

I see appearance of a seperacon between my Lord Home and my Lady who hathe taken the platte and beste stuffe at Dunglass and caryed with her to fife to her lyving there.

The Homes of Cowdenknowes had the nearest descent from Lord Home and a marriage between Isobel Home, sister of Lord Home and James Home, commendator of Eccles (a younger son of Cowdenknowes) cemented their kinship. In 1599 the Homes of Cowdenknowes were officially declared heirs apparent to Lord Home and other Home lairds took note. Even Sir George Home of Spott, the supremely ascendant younger son of the Homes of Manderston, saw the advantage of this tailzie and arranged the marriage of his infant daughter Anne to the young son and heir of Cowdenknowes.⁶⁰ Alexander Home of North Berwick was similarly childless in the 1590s and was consequently feted by his, outwardly pious, Home of Polwarth nephews whose interest was motivated more by avarice than kinship, but was rewarded as John Home became his heir and the others were not forgotten.⁶¹

The Homes of Manderston, like the Homes of Cowdenknowes, revived their kinship links to Lord Home in the 1590s. Sir Alexander Home of Manderston succeeded his father in 1593 and shook off the grudges his father had borne to the Lords Home, when he signed a bond of manrent to 'my verie gude lord and chieff' Lord Home in 1595. Sir Alexander may well have been genuinely sorry for his father's ill-treatment of the fifth Lord, but the fact that Lord Home was now commendator of Coldingham Priory, a possession once held by the Homes of Manderston, leads to speculation that he may have been courting favour to regain some of these lands. If this was so, he failed in the attempt but Lord Home did grant him a new charter of the

60. CSP Scot, xiii, pt 1 no 299, 837. The son of this Cowdenknowes marriage later became the third earl of Home, so Spott was indeed far-sighted.

61. GD110/28. RMS, v, 1492, 1866.

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lands of Manderston.

Overall the Home lairds were probably sincere in their support for the sixth Lord Home in the 1590s. When Lord Home tangled with Maitland of Thirlestane over the teinds of Lauder in 1593, the Homes of Cowdenknowes, Ayton, Polwarth, Manderston, Blackadder, Huttonhall and North Berwick all rallied to his aid. This revival was a miracle after the complexities of the 1560s and 1570s and would have been envied by the Percy earls of Northumberland who suffered similar disaffection but never reconquered their gentry following in the sixteenth century.⁶³

The Kers of Cessford and Ferniehirst had a slightly different problem with their kinship. They were rivals for the title of head of the Ker surname throughout the century, but in typical Border fashion they played on respect for this name in times of crisis and bound together to oppose the Scotts in their long-running bloodfeud. They each built up a powerful kin group through landholding in East Teviotdale and Jedforest, but neither dominated the other. Exactly who held the more ancient line of descent was contentious even amongst nineteenth-century historians as it was within one generation of fifteenth-century origin.

In 1602 James VI had to be very diplomatic when trying to appease their feud as the bitterness was deep-rooted. Even in pacifications of the Ker and Scott feud their kin groups were listed separately.⁶⁴ In 1582 Sir Walter Ker of Cessford settled a local feud claiming to speak for the

62. RD1/22 f. 177. NRAS859/6/1. RSS, vi, 1163. HMC, Home, nos 288, 316.

63. RD1/44/2 ff. 365-7. See chapter two pp. 135-42.

64. GD40/9/3 GD40/15/2/2. RD1/7 f. 131. SP, v, pp. 50-2, 452; vii, pp. 323-4. Herald and Genealogist, vii, pp. 125-7. See chapter six appendix nos 1, 197.

'remanent surname of Kerris', but in reality this only meant his own Ker allies of Littledean, Faldonside, Linton, Primsideloch, Yair, Newhall, Maisondieu, Whitmuir and Kippilaw. None of Ferniehirst's allies, such as Ker of Ancrum or Cavers, was mentioned. A marriage between the two branches in 1540 made no real difference to the long-term animosity⁶⁵ between them for it only created a temporary truce. In 1593 reference was made to 'Farniherst and his Kers', so the divisions were as deep as ever.

Dissociation between the two branches of the Kers was generally accepted and central government knew better than to make a laird from one branch responsible for the actions of a Ker from the other side. Other surnames were not overlooked. Kinship had its disadvantages as well as its benefits and the policy of making a kinsman a cautioner under financial penalty was one of the drawbacks. John Haitlie of Mellerstain brought two troublesome Haitlies before the Privy Council in 1597 as he had been ordered to by a previous act of caution. He believed that his obligation to the Council had been fulfilled, but they tried to make him responsible for all the attempts made by these Haitlies, from before the time he became their cautioner. As a kin chief Haitlie was obliged to his kinsmen, but as a private individual he must have found kinship a⁶⁶ tiresome business.

The system of cautioning was not exclusively kin-based for friends, neighbours or kinsmen by marriage could be sureties, but in its broadest context kinship was an important part of this procedure. For lesser lairds it was advantageous to be able to appeal to the social conscience of a greater laird or even a wealthy distant kinsman. There are

65. CSP Scot, xi, no 122. HMC, Laing, i, p. 33.

66. RPC, v, p. 404.

hundreds of routine examples of kinsmen acting as cautioners for kinsmen to keep the peace in a feud or to enter a rebel, but some reveal interesting links of kinship. For instance, John Ker of Kerchesters had Robert Ker, portioner of Duddingston and burgess of Edinburgh, as a cautioner in 1593. Robert Ker was a second-generation burgess, remote from his Border ancestry, yet still responsive to the needs of a very distant kinsman. The Homes of Blackadder had marriage links with the Homes of Cowdenknowes, but they respected their status and used them as cautioners in 1582 and 1591. The Homes of Ninewells similarly looked to a greater laird kinsman and neighbour in 1589 when Alexander Home of Huttonhall obliged them. As kin chiefs the Pringles of that Ilk helped their Pringle kinsmen of Blindlee and Galashiels in 1591 and 1597⁶⁷ respectively. Cautioners could also be found lower down the social scale as Home of Huttonhall stood surety for his kinsman the sixth Lord Home on many occasions in the later sixteenth century.

Acts of caution were not solely designed for keeping the peace. Cautioners were also required for securing loans, debts, tochers (anglice dowries) and wadsets. The lairds made good use of this aspect of cautioning as there are thousands of references to this in the Register of Deeds, where friends, neighbours and kinsmen all obliged each other. For instance Thomas Ramsay of Wyliecleuch was financial surety for Triamor Redpath of Crumrig in 1563, George Pringle of Wrangholm and Thomas Hailtie of Sneep were likewise for Henry Hailtie of Mellerstain in 1569, David Edington of that Ilk for his cousin David Home of Ninewells in 1571, Alexander Home of Huttonhall for Andrew Home, commendator of Jedburgh in

67. RD1/17 f. 183 RD1/20/1/2 f. 370 RD1/24/1 f. 165 RD1/36 f. 206
RD1/37 f. 405. RPC, iv, pp. 414, 810; v, 66, 681.

1579, Robert Haig of Bemersyde and Nicol Cairncross of Calfhill for their neighbour William Linlithgow of Drygrange in 1595 and Henry Haliburton of Mertoun for Walter Ker of Littledean in 1592.⁶⁸

Kinsmen were known to borrow or lend money amongst themselves, without formal cautioning, on a less formal basis than those listed in the Register of Deeds. These loans were one of the bonuses of kinship. On a local basis John Home of Huttonhall and William Home of Ayton borrowed money from David Home of Ninewells, but George Home, portioner of Gullane (a prosperous younger son of Patrick Home of the Law) lent money to kinsmen over a wider geographical area, such as Andrew Home commendator of Jedburgh and Lord Home. The Kers also borrowed from kinsmen as James Ker of Corbethouse, William Ker, a younger son of Linton and Lancie Ker of Little Newton all owed money to James Ker of Middlemist Walls in 1595 and, on a more domestic level, Oliver Edgar of Flass and Alexander MacDougall of Stodrig borrowed money from their brothers.⁶⁹

Another advantage of kinship was the support given to fellow kinsmen in time of trouble. Mr Thomas Cranston of Morriston was forfeited and declared a rebel in 1592 for intriguing with the traitorous earl of Bothwell and he was still uncaptured in 1600 because his kinsman John Cranston of that Ilk sheltered him for long periods. Sheltering a rebel was illegal, but the power of kinship was far stronger than respect for the law in this instance. Cranston's estates were fortuitously granted to Lord Home, who regarded him as a kinsman through allegiance and would not have exploited his misfortune as his father had given good service to

68. CC8/8/2 ff. 302-03. RD1/6 f. 193 RD1/10 f. 81 RD1/17 f. 221 RD1/29 f. 47 RD1/50 f. 97.

69. CC8/8/4 f. 30 CC8/8/15 ff. 44-5 CC8/8/27 f. 123 CC8/8/29 ff. 8-9 CC8/8/40 ff. 42-4. HMC, Laing, i, p. 76. See chapter three p. 259.

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 the Lords Home. William Ker of Ancrum was similarly sheltered by the Homes of Wedderburn in 1573, as they were his kin by marriage. These Homes also hid a rebellious younger son of theirs, John Home of Crumstane. The earl of Morton, then regent of Scotland, tolerated Wedderburn's actions as he was a distant kinsman of his. Crumstane hoped to play on this kinship by gaining a pardon from Morton without being arrested, but Morton was not renowned for his forgiveness. Godscroft tells us that Crumstane went to Tantallon Castle to apologize in person, but he was understandably wary of meeting Morton at first so he hid until Morton had
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 gone to bed

he fell to cards with the servants in the hall. The Regents Chamber was hard by, and he, not resting well arose and came forth to the hall in his night gowne to look on their gaming. By chance John sate next to him and he was leaning with his hand on his shoulder a long time, without knowing who he was, at last going away to bed again, he perceived it was he, and smiling said to him GOD make you a good man, and so he went away.

The Homes' kinship to Morton and the Douglasses proved to be an invaluable asset on this occasion, if Godscroft is to be believed. Godscroft himself benefited from this particular kinship as he was a servitor to the eighth earl of Angus.

The preferential employment of kinsmen was yet another bonus of kinship. It involved lesser lairds and surname affiliates working for greater lairds. Mark Home of Hardiesmill and David Home of Ninewells were bailies of Hume and Chirnside, respectively for Lord Home, whilst James

70. APS, iii, p. 528. RMS, vi, 699. RPC, v, p. 114; vi, p. 73. Pitcairn, Trials, ii, pp. 125-7. Mr Thomas's brother William was heir male to John Cranston of that ilk, see p. 46 below.

71. Godscroft, History, p. 338. David and John's father had married Alison Douglas, sister of the sixth earl of Angus and therefore an Aunt of Regent Morton.

Home, a younger son of Carolside, was servitor to Alexander Home of Huttonhall. 'Servitor' seems to have been a rather nondescript title for a manservant, as Ninian Chirnside of Whitsomelaws was a servitor to the earl of Bothwell, yet he employed a servitor of his own called Nisbet. There must have therefore been a social scale for servitors, with lairds and their well-educated sons at the top as secretaries and stewards and non-landed people at the bottom performing menial tasks. The terms of such lairds' employment are unknown, except for the unique survival of a bond between Steven Rutherford, a younger son of Hunthill, and Andrew Ker of Ferniehirst in 1589, whereby Rutherford bound himself in service to Ker for twenty-three bolls of victual a year. This service may well have been the result of previous bonds of manrent between the two parties' families,⁷² which again demonstrates the width of kinship obligations.

The widespread mutual respect for surname gave many kinsmen below the rank of a laird, or a younger son of a laird, an opportunity for employment by an important kinsman. This was true with Sir Andrew Ker of Ferniehirst who had a steward called Michael Ker, William Cockburn of Langton who had a servant named George Cockburn, William Home of Ayton who had a Robert Home in his household and John Haitlie of Mellerstain who had a servitor named John Haitlie.⁷³ The surname kindred obviously expected some kind of employment or favour from their surname chief or a greater laird of the same name in the spirit of kinship, so the responsibilities of a kin chief were double-edged. This same sense of noblesse oblige was evident in the testaments of kinsmen. In 1576 Cuthbert Home in Duns, a

72. GD40/5/4/5. NRAS859/8/2. RMS, v, 1862, 1962. RPC, iv, pp. 414, 614. HMC, Milne-Home, no 174.

73. RPC, iii, p. 737; iv, p. 194; vi, p. 797. Pitcairn, Trials, ii, p. 378.

a very remote kinsman of the Homes of Ayton asked 'the laird of aittoun his derrest cousing to be overman (anglice supervisor) to the executors' of his will and to protect his wife and bairns (anglice children) 'as unto his maist special freind'. As in England the term cousin implied a blood relationship, but it could be third or fourth cousinage if not more.⁷⁴ In the majority of the testaments surviving for the lairds and their wives the executors, overmen and tutors testamentars (in loco parentis overseers) were kinsmen and women. This is not surprising as this was the normal practice in Scotland and England, but the importance of kin via marriage is more pronounced in testaments than elsewhere.

There are seemingly innumerable examples of kinsmen as executors, overmen and tutors testamentars, but analysis of a few examples gives an indication of general trends amongst the lairds of the Eastern Borders. When Margaret Ker of Cessford, the first wife of the fifth Lord Home, died in 1565, possibly as a result of childbirth at her mother's house (Holydean, near Melrose) her executors were her husband and mother. Margaret died relatively young so she depended on her own family, but older ladies tended to appoint their sons, such as Katherine Pringle, first wife of David Spottiswoode of that Ilk who named her son Ninian. Ninian himself appointed a step-uncle Adam Brounfield of Hardacres, a kinsman James Spottiswoode of Whinrig and his uncle Mr John Spottiswoode⁷⁵ (an outstanding minister of the reformed church). Andrew Brounfield of Pittlesheugh asked his kinsman Adam Brounfield of Hardacres and Robert Dickson of Bughtrig (who may have been a kinsman of Andrew) to be overmen

74. CC8/8/4 ff. 368-9. See chapter two pp. 149-50.

75. CC8/8/1 ff. 144-5 CC8/8/3 f. 454. CS7/76 f. 220.

to his will. William Pringle of Torwoodlee made his wife and children executors along with his brother-in-law James Heriot of Trabrown as tutor testamentar and Andrew Pringle of Galashiels named fellow Pringles John of Buckholm and Mr Robert Pringle executors. Mr Thomas Cranston of Corsbie appointed his uncle, father-in-law and brother-in-law tutors testamentars to his children and they were Alexander Home of North Berwick, Patrick Home of Polwarth and Patrick Home of Polwarth younger respectively. The position of overman became less common as the century progressed for the office of tutor testamentar became more important.⁷⁶

Tutors testamentars were not always kinsmen for this position could be given to an important laird for prestige or as a protection measure. Robert Lauder of that Ilk nominated Sir Robert Ker of Cessford probably as a safeguard, for his father had been murdered by the Homes of Cowdenknowes and his children needed the protection of a powerful laird to stop these Homes from taking future action against his family.⁷⁷ The duty of protecting children was also shared by those appointed tutors, curators and guardians of minors. A tutor testamentar had no legal rights over the children in his care as his position was more akin to that of an English godfather or an honorary father. This restriction did not, however, undervalue the influence of a tutor testamentar, who could voice his opinions and give visible support to his charges, but it was left to legally appointed tutors and curators to actually provide their education and executors to pay out their bairns' portions.

A tutor dative and curator were appointed by a court of law. Their

76. CC8/8/5 ff. 80-1 CC8/8/6 ff. 291-3 CC8/8/16 ff. 345-7 CC8/8/20 ff. 37-8.

77. CC8/8/33. See chapter six appendix no 8. A similar use was made of the office of supervisor in England. See chapter two pp. 161-3 and chapter five pp. 329-30.

names were suggested and if they accepted the nomination they were then empowered as administrators of the minors in question, providing a guardian had not been appointed as well (who would have the overriding right of ward and marriage of the minor). Tutors and curators were often⁷⁸ kinsmen, such as Andrew Home commendator of Jedburgh to the sixth Lord Home his nephew. A tutor had to satisfy three directives: he had to be over twenty-one years of age, he had to be prudent in his own affairs and he was not to be the immediate successor of his charge. Andrew Home satisfied all three counts which enabled him to look after Lord Home until he was sixteen. When a minor reached sixteen he or she was deemed to be beyond the age of tutory and had then to choose curators for the rest of the minority (that is twenty-one for men and eighteen for women, unless she married prior to this). In Lord Home's case he went to the Court of Session to select curators, but lesser lairds went to their local sheriff court. Home selected William, Lord Ruthven (who was already his guardian), James Lord Ogilvy, Andrew Home commendator of Jedburgh, John Lord Herries, Mr Thomas Lyon of Baldukie (his stepfather) and Sir Lewis Bellenden of Auchnoule in 1581. These curators were representative of the high social status of Home. Further down the social scale James Ker of Middlemist Walls chose Ker of Primsideloch and Lochtower in 1600, at⁷⁹ Jedburgh Sheriff Court.

A legal guardian had the right to determine the marriage of his or her ward. Lord Ruthven (later earl of Gowrie) offered his ward Lord Home the marriage of either Dorothy or Lillas Ruthven, his daughters, but Home

78. See appendix, Cockburn of that Ilk and Pringle of Whytbank.

79. RD1/24 f. 48 RD1/45 f. 153. SC62/2/1 SC62/2/5. RSS, vii, 1611; viii, 1254. HMC, Home, nos 34, 37.

rejected the offer and may well have incurred a financial penalty as a result (though a friendship between Ruthven and Home's late father may have avoided this).⁸⁰ Home could at least afford a small fine, but Janet Newton, the heiress of Dalcove, was not so fortunate. She was a ward of James Ker of Mersington in the 1530s and he exploited his legal right to determine her marriage in the most brutal manner possible. Janet seems to have fallen in love with Adam Ker of Shaw, but James Ker objected to him despite his being of the same surname. James offered Janet the right to 'mary quhat partey she plesis', and be infeft in her late father's lands providing she pay him £2000 Scots as a penalty. Janet was given less than a month to comply with this, but she decided to marry Adam Ker and therefore had to sell a third of her lands to her guardian as well as wadsetting (mortgaging) the remaining two-thirds to pay the £2000 Scots fine. This was a particularly heavy price to pay for love, but the methods used by the unscrupulous Ker of Mersington were legitimate and probably did not seem unreasonable to contemporaries.⁸¹

Where a guardian had not been appointed, the tutors of a minor fully administered their estates but they did not have any rights over the marriage of the minor. The title of tutor was used by several lairds such as Robert Pringle, tutor of Blindlee, Patrick Cockburn, tutor of Langton and Gilbert Home, tutor of West Reston. They were all younger sons and thus uncles of their charges and wielded great power whilst in office. They would have been quickly demoted when the heir came of age, but all three tutors died before this happened. Gilbert Home clearly relished his

80. NRAS859/5/7. CSP For, 1564-5, no 1620. HMC, Home, no 40.

81. GD239/1/2 GD239/2/1/2 GD239/2/1/8. RMS, iii, 1364, 2033. RSS, iii, 2330.

appointment as it gave him access to wealth and power normally denied to a younger son. His inventory was worth over £3700 Scots in 1581 and he gave generous endowments to his own son and his sisters from money that was not really his to bestow. Patrick Cockburn left his charges with debts of over £1000 Scots in 1602, whilst Robert Pringle left his nephews and nieces £3250 Scots in credit in 1588. Therefore the competence of⁸² tutors as administrators was variable.

The deliberate mishandling of the estate of a minor was a charge⁸³ levelled by Home of Godscroft against his stepmother Margaret Ker. Godscroft adored his own mother and extolled her pious virtues at length in his family history, although he cannot have been more than four years old when she died. She had fatally miscarried after disturbing, and then being struck, by a rapacious servant having his way in the barn with a maid. His father then remarried the widow of James Pringle of Whytbank, who had children by this marriage. Godscroft portrays her as an archetypal wicked stepmother, who indulged her own children at the expense of the Home offspring. It was the Homes' misfortune that she outlived David Home of Wedderburn by fourteen years and continued to wreak havoc with the family's finances. The situation was apparently so bad that Godscroft along with his brothers and sisters refused to claim their bairns' portions to assist the family's fortunes, but this action was probably an exaggeration.

George Home of Wedderburn was fortunate not to have his ward and marriage granted to a stranger who might have exploited his misery further.

82. CC8/8/10 ff. 131-3 CC8/8/12 ff. 78-9 CC8/8/19 ff. 159-161 CC8/8/3.

83. Godscroft, De Familia, pp. 53-6, 64. See chapter six, appendix nos 82, 85, 205. where Margaret Ker caused trouble on at least three occasions.

Instead his kinsman the Regent Morton granted him his own ward as a mark of much needed favour. His sister Isobel was also favoured with the gift of the ward and marriage of John Haldane of Gleneagles, whom she subsequently married. Other lairds were similarly granted their own wardship, such as Andrew Douglas of Timpendean, Andrew Ker of Yair, Richard Spence of Chirnside Mains and Ninian Spottiswoode of that Ilk. Wardship could also be favourably granted to a close relative. Hence Robert French of Thornydykes (mother), Marie Hepburn of Fairnington (who was far more fortunate than Janet Newton - grandfather), George Pringle of Torwoodlee (grandfather), William Ker of Cessford (father) and Robert Lauder of that Ilk (uncle). The Homes of Manderston and the Kers of Littledean were exceptionally lucky to avoid wardship as they all reached⁸⁴ their majority before their fathers died.

Guardians could be somewhat incongruously appointed whilst the father⁸⁵ or grandfather of a ward was still alive. This anomaly occurred when the custom of infesting an heir in lands as a fiar, before his father died, backfired with the predecease of the heir. The lands then went to a brother or son, whichever was the deceased's heir, rather than reverting to the father. There were no real problems when this happened to the Kers of Cessford in 1563 as a brother became the ward of his own father, but the Haitlies of Mellerstain were not so fortunate. The ward of John

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84. RD1/14 f. 7. RSS, vii, 425. Godscroft, History, pp. 357-8. Godscroft wrongly attributes the grant of the Haldane marriage to 1581. It was arranged in 1574. It was not unusual for a woman to be granted a wardship as Isobel Home of Cowdenknowes bought that of Henry Haitlie of Mellerstain in 1547. RSS, iii, 2132. See appendix for all the other lairds' wardships mentioned above.
85. C.H. Hunter Blair confuses tutors with guardians in HBNC, xxviii (1932-4), p. 91n. RPC, iv, p. 676. RSS, v, 540. See chapter six appendix nos 42, 99. See also chapter three p. 223.

Haitlie was granted to Walter Ker of Littledean, which caused endless wrangles between Ker and his grandfather John Haitlie. Alexander Dickson of Herdrig was perhaps another resentful ward as he was cautioned not to harm his former guardian's son thirty years after he had been a ward of Alexander MacDougall of Stodrig and the wardship of John Mow of that ilk caused another feud in the 1540s.

There was another anomaly in the wardship and curator system. Alexander Home of Huttonhall and John Cranston of Morriston were designated as advisers to the sixth Lord Home until he was twenty-one. Home was beyond the age of tutory and neither of these lairds was an appointed curator. It may just have been that these lairds were locally resident kinsmen on hand to give advice in loco parentis, whereas his official curators lived at great distances from their charge, with the exception of Andrew Home of Jedburgh. Curators were really only necessary on formal occasions, such as when marriage contracts or land transactions were drawn up and their consent was required. Kinship was therefore seen to play an important role in the day-to-day tutelage and guardianship of minors.⁸⁶

The exact size of the families of the Border lairds is difficult to determine as records are probably less complete than in England, particularly for the lesser lairds. Testaments are however useful for identification, as there are no relevant parish records available for the sixteenth-century Eastern Borders.⁸⁷ Families seem to have been quite large, providing the father did not die young and the remarriages of

86. RMS, v, 1862.

87. OnTy Kelso has a register pre-1603 and it starts in 1598.

lairds made some enormous families. John Renton of Billie had twelve surviving children from his three marriages, whilst Sir James Cockburn of Langton had twenty-one children from two marriages. Steven Brounfield of Greenlawdean, conversely, had only one son before he was murdered in 1564. These children were all legitimate, but there was a fairly high proportion of illegitimacy amongst the lairds' offspring, particularly before 1580 after which the morality preached by the reformed church seems to have accounted for a slight decline in the number of illegitimate births.⁸⁸

Alexander Home of Huttonhall was illegitimate before being legitimized by the crown in 1541. Legitimation did not normally entitle the child to any title or heritable property, but Huttonhall seems to have been an exception to this rule. David and George Home, illegitimate sons of Sir George Home of Wedderburn, were legitimized in 1543 but did not inherit. The fourth and fifth Lords Home copied the actions of James V by exploiting the availability of monastic land to endow their natural sons with lands and offices at Jedburgh Abbey. As lay clerics these Homes themselves had illegitimate families.

Illegitimacy made no difference to bonds between lairds as kinship and alliance were the principal motives behind these arrangements. Bonds of manrent were made to effect the obligations of kinship on kinsmen and non-kinsmen alike.⁸⁹ Lairds of lesser rank were thus bound to a more powerful laird or nobleman to assist him if needed and in return these lairds were assured of maintenance by him. Bonds of manrent encompassed

88. RMS, iii, 2416, 2900. See appendix - the Homes of Wedderburn and Kers of Ancrum were part of this decline, but the Homes of Cowdenknowes and Kers of Littledean legitimated bastards in 1586 and 1582, respectively. RMS, v, 477, 924.

89. Wormald, Lords and Men, pp. 52-75.

lairds and unlanded men, but it is the role of the lairds that concerns this study. The Rutherfords of Hunthill signed traceable bonds of manrent to the Kers of Ferniehirst in 1544, 1560 and 1586 and the Rutherfords of Hundalee did so in 1544.⁹⁰ They were all of the rank of greater lairds but the Rutherfords recognized that Ferniehirst was the more powerful laird in the Jedforest locality. When Ferniehirst was in exile during the 1570s, the eighth earl of Angus usurped his position by forcing his allies to sign bonds of manrent to him instead of Ferniehirst. Angus was the feudal superior of Jedforest, so his actions were really just cutting out a step in the ladder of obligation for some of his tenants. Three bonds resulted from this, given by the Rutherfords, the Kers of Primsidloch and by other lesser lairds. Social status was evident as the greater lairds signed individual bonds with Angus whereas the lesser lairds were banded together in one bond. Ferniehirst's return from exile in 1582 would probably have invalidated the Angus bonds. The Homes of Wedderburn were more permanently bound in manrent to the earls of Angus than the Rutherfords, but it was not solely lairds who signed bonds to the nobility for the fourth Lord Home was bound to the earl of Huntly in 1538.⁹¹

Other types of bonds signed by the lairds included bonds of friendship and mutual assistance. Bonds of friendship were used by the Homes of Blackadder and Wedderburn and by Lord Home with Maitland of Thirlestane to end property feuds between them. Bonds of mutual assistance or

90. GD40/1/370/1 GD40/2/9/7 GD40/2/9/36 GD40/2/78.

91. RMS, iv, 1709. Fraser, Douglas, iii, nos 213, 218, 219. Wormald, op cit., pp. 176, 280, 284. As the bailie of Coldstream Priory the fifth Lord Home was entitled to receive manrent from the tenants, but this was probably a reflection of the priory's proximity to the frontier and the tenants' desire to be protected by him in time of attack.

maintenance could be used for the same purpose, as the Rutherfords on one part and the Kers of Littledean, Mow of that Ilk and Haitlie of Mellerstain on the other part signed a bond of this type to ease tension between them. A more usual use of this bond was typified by the mutual desire of Lord Home and the earl of Bothwell in 1545 to oppose the English invasion of Southern Scotland. Neither party was subservient to the other in this bond as they had mutual aims.⁹²

Bonds of manrent, like marriages were an intrinsic part of kinship and political strength amongst the lairds. Many more bonds of manrent may have been agreed upon, but are now lost to the record. They were a useful device for extending kinship beyond the blood-related, surname and marriage links of kinship to bring in additional political allies. Kinship was only ever as strong as the lairds wanted it to be and there is no doubt that it was the underlying cause of many feuds in the sixteenth century, yet the overall impression is that of strong kinship links in the Eastern Borders at the level of the lesser lairds at least. The defection of the greater Home lairds was divisive to good kin relationships, yet the revival of the Home kinship in the 1590s was a reminder of how strong the pull of kinship could be when all parties wished it (and the importance of kinship links through marriage should not be overlooked). Kinship had more advantages than disadvantages, especially for the lesser lairds seeking employment or security and it was fundamental to the making and fulfilment of lairds' testaments. Kinship in its broadest interpretation permeated all aspects of the lifestyle of the lairds, including the administration of the Eastern Borders.

92. CS6/26 f. 129 GD267/31/24. NRAS832/78. HMC, Home, nos 19, 20. See chapter six, appendix nos 2, 3, 197.

III. The Administration.

i. Domestic office

The principal domestic office in the Scottish localities was that of sheriff. The office of sheriff in Scotland differed from that of the English sheriff in several ways. Firstly the office had become unintentionally hereditary in Scotland, unlike the annual appointments in England and was thus dominated by powerful local families in each shire. These sheriffs inevitably chose their deutes from the ranks of their kinsmen, who were usually landed men of the status of a lesser laird. In England the sheriff relied upon his deputy to serve writs and the commission of the Peace (that is Justices of the Peace) to carry out some of his other official functions, whereas in Scotland it was the sheriff depute alone who carried out most of the everyday administration on behalf of the sheriff. These duties included collecting castleward and serving writs. Adam and John Cockburn, younger sons of Langton and William Trotter of Falwoodshiel were able sheriff deutes. They were in turn assisted by sheriff officers and clerks who would have made arrests and poinded goods on the sheriff's behalf. Justices of the Peace were practically unknown in Scotland before 1609.⁹³ The sheriff or his deutes presided over sheriff courts (at which the majority of the jurors were lairds) and they in turn were supervised by justiciars who went on itinerant justice ayres (anglice circuit) to hear serious criminal cases and appeals, probably on an annual basis. The justiciar was sometimes the warden of the March, for when Lord Home was commissioned to hold a justice

93. GD150/1411. ADCP, pp. 502-03. APS, ii, p. 43. Rae, op cit., pp. 12-14. Wormald, Kirk, Court and Community, p. 162.

court in the Merse in 1595, assisted by the Home lairds of Wedderburn and Ayton, or he could be specially commissioned, like Sir James Home of Cowdenknowes was in 1588. The only limitation on a sheriff's power were the private jurisdictions, of which there were many in the Eastern Borders, for neither he nor his officers could enter a barony or regality to pursue justice (which was similar to the liberty enjoyed by Berwick⁹⁴ across the Border).

The shrievalty of Berwickshire was normally held in conjunction with the office of bailie of Lauderdale and these offices had a vacillating progression during the sixteenth century. They passed from the Hepburn earls of Bothwell to the fifth Lord Home in 1567, through forfeiture, but Home forfeited them in 1573, when they were granted to the eighth earl of Angus. When Angus was forfeited in 1581 the offices were probably split up as the sixth Lord Home became sheriff, whilst the fifth earl of Bothwell became bailie of Lauderdale and resigned this to Maitland of Thirlestane in 1587. Home lost the office briefly in 1591-2 to the duke of Lennox as he absented himself from Scotland, but he was reinstated as sheriff upon his return in 1592. Another exile in 1599-1600 saw Sir George Home of Spott as sheriff, but this was only for the duration of Home's absence. The shrievalty of Roxburghshire was far simpler as it had⁹⁵ been held by the Douglasses of Cavers since the fifteenth century.

The sheriff courts of Roxburghshire were usually held at Jedburgh and diet books survive for part of their proceedings in the sixteenth century.

94. CSP Scot, ix, no 539. HMC, Home, no 69; Salisbury, vi, p. 9. Pitcairn, Trials, i, pt 1, pp. 451, 467-8. See chapter two pp. 135n, 165.

95. NRAS859/11/2. ER, xxi, p. 441. RMS, iv, 2152; v, 218 (which erroneously states that Bothwell was sheriff of Berwickshire in the 1580s), 1172, 2179. RPC, vi, pp. 57-8. Retours, i, Berwick, no 9.

Most of the transactions were financial and were heard before one of the sheriff deutes, but the sheriff usually sat for more important matters such as Inquisitionum Retornatarum, the Scottish equivalent of an Inquisition Post Mortem. There are no surviving records of the Berwickshire sheriff courts and bailie courts of Lauderdale, but obscure references to these courts confirm that they were held at Langton church or the mercat cross of Duns, and at Lauder Courthouse or the mercat cross there.⁹⁶ Like their English counterparts, the Scottish sheriffs were latterly accused of negligence and discriminating in favour of their kinsmen, but this was only to be expected in a community dominated by kinship. There were few complaints about the Scottish sheriffs before 1600, probably because they were long-term incumbents and powerful men not to be angered unnecessarily, or perhaps because they submitted their accounts to the Exchequer on a more regular basis than the English sheriffs and thus did not incur the wrath of central authority.⁹⁷

The retours (Inquisitions) held in Scotland were the responsibility of the sheriff, once the heir of a tenant-in-chief had procured a Chancery writ instructing him to hold an inquest. There was no equivalent of the English Court of Wards in Scotland and neither were there feodaries and escheators (who began the process of an Inquisition Post Mortem in England). As this duty was left to the heir in Scotland the speed of the process varied enormously. For instance, Sir Robert Ker of Cessford, John Haliburton of Mertoun and John Edgar of Wedderlie all obtained the necessary writs within months of their fathers' deaths, but William Linlithgow of Drygrange and Andrew Ker of Newhall delayed for over thirty

96. GD158/183 GD158/616. RH15/19/3/1. SC62/2/1 SC62/2/2 SC62/2/4 SC62/2/5. HMC, Home, no 69.
 97. RPC, vi, pp. 57-8. See chapter two pp. 166-67.

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 years. This was perhaps indicative of the value of the lands concerned as Cessford and Mertoun had lands of far greater worth than Drygrange or Newhall. The next stage in the process was the inquest. The sheriff summoned a jury of fifteen men, most of whom were lairds and they declared under oath that the claimant was heir to the lands in question. This decision was then 'retoured' back to Chancery (hence retours and retour jurors). There were two types of retour: a general retour established the claim only, whilst a special retour listed the lands and their valuation. Retours, like the Inquisitions Post Mortem, are a good source for identifying landed men as the juries are listed in the records. Some jurors were non-resident, such as Richard Maitland of Lethington, but the majority were neighbours, kin and friends of the deceased.⁹⁹ Lairds who were not tenants-in-chief were infeft of their lands by their feudal superior, who granted a precept of clare constat to them. This was a specialized precept of sasine that recognized the grantee as heir to the land.

The lairds were also called upon by the sheriff to act as jurors in land disputes and criminal cases.¹⁰⁰ The lesser lairds were probably content to act as jurors, but the greater lairds were far more ambitious and sought parliamentary representation. Before 1587 lairds who were already barons had an automatic right to be individually summoned to parliaments, when they were held and the lairds who were also commendators of religious houses were summoned as spiritual lords. Other lairds were

98. SC62/2/1. Retours, i, Berwick, no 21; ii, no 516.

99. GD12/147. SC62/2/1. HMC, Marchmont, no 61. See appendix for individual citations of lairds as jurors.

100. GD40/3/232 GD53/4.

effectively denied representation, but at the 1560 parliament (known as the Reformation Parliament) over 160 lairds lobbied for a right to participate. However it was not until 1587 that an Act allowed each county to convene freeholders (in effect lairds) to elect two parliamentary or shire commissioners, (known as shire commissioners). This emancipation was not very far-reaching as Scottish parliaments were only intermittently summoned and there was a property qualification of forty shillings of old extent for the freeholders, which in practice excluded feuars, less affluent lesser lairds and bonnet lairds. Although this was seemingly based on the English franchise of forty shillings, the Scottish forty shillings of old extent was worth far more than this in reality for inflation had far outstripped this medieval tax valuation. This enfranchisement for some lairds had the disadvantage of increased taxation for all the lairds, which was not popular and led to accusations¹⁰¹ that representation had been bought rather than granted freely.

The elected shire commissioners were summoned individually to parliament in the tradition of the barons and Lords of Parliament. For example, the Homes of Cowdenknowes attended parliament as barons of Earlston and the Swintons of that Ilk came as barons of Cranshaws. It is not clear if all the eligible barons were summoned to every Parliament, as they were not always present. They may have been unable to attend or perhaps could not afford to, as Ellem of Butterdean and Redpath of¹⁰² Greenlaw were barons of slender means. The Lords Home were summoned to parliament as Lords of Parliament and both the fifth and sixth Lords were

101. Lee, Maitland of Thirlestane, pp. 145-50. Wormald, *op cit.*, pp. 157-8. The 1587 Act was really a re-enactment of a lapsed 1428 Act.

102. CSP Scot, ix, no 365. RMS, iv, 1519.

also elected as one of the Lords of the Articles (an increasingly important committee that prepared parliamentary business). Lairds who were called to parliament, whether as barons or as shire commissioners, were from the dominant local families of their shires. Hence in 1594 Berwickshire was represented by the Homes of Cowdenknowes, Huttonhall, Manderston and Wedderburn, ^{whilst} _^ Roxburghshire was largely represented by lairds from East Teviotdale, the Kers of Cessford and Littledean, MacDougal of Makerstoun, Douglas of Bonjedward with a sole member from West Teviotdale, (Scott of Buccleuch). There were various offices attached to parliament, which are not well documented in the Eastern Borders but were known to be held by the lairds such as collector of taxes of the small barons (George Home of Wedderburn, 1588), commissioners against the Armada in 1588, ^{against} Jesuits in 1588 and 1590 and commissioners for wappinshaws / [^] 103 (anglice musters).

The sheriffs and parliamentary representatives were the lairds most closely associated with central government, but there were many lairds who held important local franchises that were more detached from central affairs. Chief amongst these local government positions was that of a baron, who of course could go to parliament, but whose role in the locality was fundamental to the functioning of rural society. A baron had the right to hold a court within his barony to settle civil disputes and try cases of theft and slaughter without interference of the sheriff, but the increasing importance of the central Court of Session rather sapped these powers from the baron. Therefore the sixteenth-century baron courts' primary function was financial and domestic, which meant that they

103. CSP Scot, i, no 879; xi, nos 94, 270. See appendix for individual commissioners.

were the place of central focus for (mostly non-lairdly) tenants paying rent, renewing a lease or settling a property dispute within the barony. The baron courts were convened at a 'head' place within the barony and were thus called head courts, which met several times a year. At Ancrum¹⁰⁴ and Jedburgh there were three head courts a year. The barons of the Eastern Borders were a mixture of lairds and non-resident nobility and their jurisdictions varied in geographical size from regalities, which were in effect large baronies such as Jedforest, to the tiny barony of Butterdean. There were twenty-seven jurisdictions in Berwickshire (26 baronies and 1 regality) and thirty-one in the area of Roxburghshire that encompassed the Eastern Borders (29 baronies and 2 regalities).

Of the twenty-seven jurisdictions in Berwickshire ten belonged to non-residents : Bunkle and Preston (a regality, earls of Angus), Cockburnspath (Douglasses), Dryburgh (Erskines), Foulden (Ramsays of Dalhousie), Gordon (earls of Huntly), Haliburton (Lord Haliburton, then divided into thirds for Lord Ruthven, Lord Home and Ker of Faldonside), Hutton (Logans of Restalrig and Ogilvies of Dunlugus), Lambden (as Haliburton), Mordington (Douglasses) and Whitsome (earls of Bothwell). Another ten baronies belonged to the Homes : Blackadder, Coldingham (1570-82, 1592-1603 only), Duns, Earlston, Eyemouth, Hilton, Hume, Horndean, Ladykirk and Redbraes (Polwarth). The remaining seven baronies were held by independent lairds : Blythe (Maitland of Thirlestane), Boon (Cranston of Corsbie), Butterdean (Ellem of Butterdean), Cranshaws (Swinton of that Ilk), Edington (Edington of that Ilk, but sold to Ramsay of Dalhousie), Greenlaw-Redpath (Redpath of Greenlaw, but sold to Sir

104. CH6/6/1 ff. 76-8, 113-14. Sanderson, *op cit.*, pp. 6-7, 11. Rae, *op cit.*, pp. 15-18.

George Home of Spott) and Langton (Cockburn of Langton).

In Roxburghshire the thirty-one jurisdictions were similarly divided up. Four baronies belonged to the church : Ancrum and Lilliesleaf, Ulston[^] (archdiocese of Glasgow) (Jedburgh Abbey), Bowden and Melrose (Melrose Abbey). Nine and a half jurisdictions belonged to non-residents : Bonjedward (earls of Angus), Broxfield and half of Hownam (Lords Home), Ednam (Edmonstons of that Ilk), Jedforest (a regality, earls of Angus), Linton (Lords Somerville), Longnewton (Douglasses), Maxwell (Lords Maxwell), Stitchill (Gordon of Lochinver) and Yetholm (earls of Bothwell). The Kers not unexpectedly held nine franchises : Cessford, Ferniehirst, Kelso (a regality), Maxton, Old Roxburgh (incorporated into Cessford), Ormiston (after 1567), Oxnam, Primside and Roxburgh. The Rutherfords held another five and a half baronies : Edgerston, Grubbit, half of Hownam, Scraesburgh and Rutherford, which left three independent baronies : Makerstoun (MacDougal of Makerstoun), Riddell (Riddall of that Ilk) and Smailholm (Cranston of that Ilk). There was one other barony that belonged to an Eastern Border laird, Galashiels (Pringle of Galashiels), which was in Selkirkshire.

The baronies as jurisdictions were never static as they could lapse or new ones might be created or amalgamated with old ones. The nineteen and a half baronies held by non-resident men did not create unwelcome interference in the local politics of the Eastern Borders as these barons appointed local lairds to be their bailies (bailiffs). A bailie could deputize at all times for the baron and was therefore a very important

105. There is a good list of these baronies in T.I. Rae, 'The Administration of the Borders in the sixteenth century', St Andrews Ph.D, 1961, appendix two. Eyemouth is an addition to this, RMS, vi, 668.

local officer. Bailies were similarly appointed to oversee regalities, monastic lands and crown lands. The appointees varied from non-landed men to lesser lairds and greater lairds depending upon the size of the jurisdiction. For instance the sixth Lord Home was a bailie of Coldstream and Coldingham priories, but he employed Mark Home of Hardiesmill as his bailie of Hume. The Homes were bailies for several of the non-resident barons, such as David Home of Ninewells (Hutton) and Patrick Home of Polwarth (Bunkle and Preston) and in Roxburghshire the Kers of Cessford were bailies of Ancrum and Lilliesleaf and the Kers of Ferniehirst were hereditary bailiffs of Jedforest.¹⁰⁶

Barony records for the Eastern Borders are scarce, but precepts of sasine are an excellent source for identifying who the bailies were. The duties of a bailie were principally to collect rents, deliver sasines and hold the barony courts in the absence of the baron, so he would have been a skilled administrator. The mundane duties of the barony would have been carried out by a clerk or serjeant, but the obligations of the bailie of the regality of Kelso were more bizarre than mundane. The Kers of Cessford traditionally held this office and their strong attachment to the Protestant cause clearly assisted them in their duties, for they were to enforce church attendance, ban harlots, passion plays, bonfires and religious feasts from the regality as well as fine absentees from kirk session meetings and make sure that the grass in the kirkyard was mown and not eaten by livestock. This was in addition to the more usual task of collecting rents and enforcing legislation about middings and paving.¹⁰⁷

106. See appendix for other examples. All known bailies are recorded.

107. NRAS1100/717. HMC, Roxburghe, no 95. There is another description of a Border laird's bailie duties in RMS, 1709.

The barony and regality court juries had lairds as jurors, but the proportion of unlanded men was far higher in these courts than at the sheriff court, probably as they dealt with very localized matters. An exception to this occurred at the Jedforest Regality Court in 1554, where the jurors were all non-local, but this was because they had to settle a property feud between the bailie (Ker of Ferniehirst) and the lord (the earl of Angus). There was a distinctly uneasy working relationship between the Kers and the earls of Angus over this jurisdiction as trouble flared on many occasions, including a ban on Ker holding the Court in 1566. The Oxnam barony court was more normally administered for it had a mixture of lairds and small tenants on its jury in 1602.¹⁰⁸ The barony court of Coldingham regularly met in the parish church, but records survive only for 1568, 1583 and 1598. Lord Home as bailie dealt with small local matters such as the tenants of Coldingham and Eyemouth evading the use of William Home of Prendergust's mill and the annual riding of the bounds of the barony's common grazing. This was a geographically widespread barony so Home appointed two deputy bailiffs to assist him. In 1583 they were kinsmen, Alexander Home of Huttonhall and David Home of Ninewells.¹⁰⁹

The powers of the bailies were strictly localized and their duties were overwhelmingly fiscal and confined to their jurisdiction. They therefore had no influence on any policies of central government, yet they were, nevertheless, an indisputable asset to local land administration and could be justifiably called the backbone of local

108. See chapter six, appendix no 113. CH6/6/1 f. 42. GD40/3/241 GD40/3/6 GD40/5/3/1 GD40/13/9 GD40/13/32.

109. GD267/27/76 GD267/27/78 GD267/27/84.

government. They were mostly lairds, although there were a few unlanded men in the office. With their apparent enthusiasm for administration these men may have sought participation in the government of the reformed church, in such duties as administering poor relief and enforcing discipline through the kirk sessions. Unfortunately no kirk session records are extant in the Eastern Borders before 1622 and the seventeenth century records reveal no participation by the lairds.¹¹⁰

The lairds were however involved with the administration of some burghs, with the assistance of central government interference in the sixteenth century. The office of the provost of Jedburgh, for instance, was heatedly contested by local lairds in the later sixteenth century, with the backing of central factions. The burghs naturally did not want a provost imposed on them who was totally controlled by the crown or a court faction, so friction resulted. The office of provost of Jedburgh was frequently held by the locally dominant family of Rutherford. The following Rutherfords were known to have been elected, Adam (1541-5), Nicol of Hundalee (1559-65), Richard (1569-81) and William (1592).¹¹¹ There were tensions even within the Rutherford kindred as the burgesses (many of whom were Rutherfords) unsuccessfully opposed Nicol Rutherford of Hundalee's appointment in 1559 and when he later demanded that a

110. Wormald, *op cit.*, p. 138. The Border lairds were involved with the work of the General Assemblies of the Church particularly during the years immediately after 1560. See chapter five pp. 335-57. The following Kirk Session Registers were consulted CH2/72/1 (Polwarth), CH2/113/1 (Duns), CH2/466/1 (Hutton), CH2/534/1 (Lauder), CH2/52/1 (Jedburgh), CH2/841/1 (Ednam), CH2/1173/1 (Kelso). There was of course no equivalent of lay church government in England at this time, as the English church was totally administered by clerics, with the exception of lay presentations to vicarages.

111. See chapter six, appendix nos 2, 201, 207. JEDJM508. *RPC*, i, p. 653; iii, p. 600; v, p. 13. Even in 1672 there is reference to a 'Provost Rutherford' at Jedburgh. CH2/552/1.

kinsman be elected to replace him in 1565 they refused to comply. Hundalee's nominee was later elected however as Richard Rutherford took office in 1569. There was some trouble in the burgh in the 1570s, but this was unconnected to the provostry. However in 1581 the Rutherfords' support for the disgraced earl of Angus cost them the office, which was given to Sir Thomas Ker of Ferniehirst by the earl of Lennox, despite objections from the 155 voting burgesses. Ferniehirst was a powerful local landholder and was owed manrent by the Rutherfords, but this did not endear his appointment to the compact burgess community in the burgh. This act was not out of place in later sixteenth-century Scotland and especially in the 1580s, as many burghs were being subjected to central interference on an unprecedented scale. Ferniehirst remained in office until his fall from grace in 1585.¹¹²

There was a short truce between the Jedburgh burgesses and the central administration until 1590, when the Kers of Cessford entered their claim to the provostry. There is some confusion about the events of 1590. The Kers of Cessford had not previously held this office, contrary to the claims made by Archbishop Spottiswoode, Sir John Forster and James Hudson. Neither was the office held by William Ker of Ancrum, whose murder in 1590¹¹³ was part of an entirely different feud. All that is certain is that James VI wanted to bolster William Ker of Cessford's power base as warden of the Middle March, by giving him the office. The Rutherfords naturally

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112. GD40/2/9/62 GD40/2/10/36 GD40/2/10/42. RSS, v, 728, 2812. Godscroft, History, p. 323. M. Lynch, 'The Crown and the Burghs 1500-1625', in The Early Modern Town in Scotland, ed. M. Lynch, pp.55-80.
113. GD40/2/9/82. Spottiswoode, History, ii, p. 411. M. Lee, op cit., p. 218 and K.M. Brown, 'Burghs, Lords and Feuds in Jacobean Scotland', in The Early Modern Town, op cit, pp. 108-09 have both used CSP Scot, x, no 602 and CBP, i, no 395, which are incorrect in their information that Cessford had previously held the office. See also chapter six, appendix no 17.

rejected this appointment and, conveniently remembering their kinship obligations to Cessford's rival, Ker of Ferniehirst, they elected William Rutherford as provost. In this instance the burgh was victorious as the crown's interference for Cessford was discredited by the murder of Ker of Ancrum by his son Sir Robert. This allowed William Rutherford to remain in office, owing to the exemption granted to Ferniehirst and his kindred from Cessford's jurisdiction as warden. Nevertheless the King sought revenge for this rejection by the Jedburgh burgesses and seized the opportunity to appoint the duke of Lennox as provost in 1592 and Walter Ker of Littledean in 1593, when the Rutherfords and the Kers of Ferniehirst were outlawed for associating with the earl of Bothwell. By 1603 a Rutherford/Ferniehirst candidate was back in office as Robert Ker of Ancrum was provost. The lairds who were provosts in the sixteenth century would have left most of their routine duties to a deputy provost,¹⁴ like David Moscrop, who was deputy provost of Jedburgh in 1586.

The struggles at Jedburgh were similar to upheavals at the burgh of Dumfries, with the exception that there were no religious overtones in Jedburgh. The appointment of Alexander Home of North Berwick as provost of Edinburgh in 1593 was correspondingly controversial. All were examples of deliberate crown intervention in the internal affairs of the burghs to patronize local lairds in favour at court. The lairds of the Eastern Borders and many of their younger sons were certainly adept at gaining¹¹⁵ favour at court, as they held many offices there.

Court patronage was essential to sycophantic, upwardly mobile lairds

114. CSP Scot, viii, no 420; x, nos 496, 517; xi, no 157. RPC, iv, pp. 530, 544; v, p. 13; vi, p. 541. Moysie, *Memoirs*, p. 98.

115. CSP Scot, xi, nos 142, 154. Edin Burg, p. 256. Edin Recs, v, pp. 97-8. K.M. Brown, *op cit.*, pp. 102-124. By contrast, the gentry held no household offices. See chapter two pp, 137-38.

like the Homes and their amazingly successful younger sons. Sir George Home of Spott far surpassed his father's success at court as he rose from being a stabler in 1585 to become treasurer in 1600 and one of the most influential courtiers before the Union of the Crowns. Alexander Home of North Berwick, the provost of Edinburgh, was another successful younger son, being an ambassador to England in 1567, 1580 and 1596 as well being a gentleman of the bedchamber in 1580. Less successful younger sons had to be content with smaller offices, such as William Home of Bassendean (lieutenant of the King's guard) and William Home of Whitelaw (captain of the King's guard and master stabler), but the proximity of the court¹¹⁶ undoubtedly helped the lairds and their younger sons.

The lairds were often gentlemen of the bedchamber, such as the Homes of Cowdenknowes, Manderston elder and younger and Ker of Cessford in 1580 or captains of royal castles, such as Home of Cowdenknowes (Edinburgh 1585) and Home of Polwarth (Tantallon 1592-5). The sixth Lord Home gained many offices when he abandoned allegiance to the treacherous earl of Bothwell in the early 1590s, like grand master stabler and captain of the King's personal guard. However none of these court offices was hereditary like the office of sheriff or was held for any length of time. The only exception to this was the office of Usher of the White Rod held¹¹⁷ by the Cockburns of Langton since the late fourteenth century. These offices were usually politically advantageous, even if they were not all remunerative, but there were exceptions.

Sir George Home of Wedderburn was comptroller of the royal household

116. Court offices are listed in the appendix. For more information on younger sons see chapter four pp. 298-99.

117. RMS, vi, 365. J.H. Stevenson, 'The Usher of the White Rod', Scot Antiq, x (1897), pp. 158-161.

from 1597-9. This financial post should have been profitable for Home, but it turned into a near disaster. There were repeated claims that he was not furnishing the royal household adequately. Wedderburn responded to accusations of negligence by blaming a poor return on the king's lands, devaluation of the coinage, unpaid customs and even the expense of the king's horses. In April 1599 he was deprived of the office for gross incompetence and was additionally made the surety of a wadset of crown lands necessary to make up the shortfall in income. Wedderburn was later cleared of all charges against him and even received a £9000 Scots refund when the full accounts were exhibited. It appeared that Wedderburn had been the victim of inflation and corruption amongst other royal officials like the King's brewster who took more of the King's grain than he should.¹¹⁸ Wedderburn was forgiven but he was never entrusted with court office again and the shame he felt must have been pronounced as his brother, Godscroft, makes no mention of this unfortunate episode in his history of the family. The lure of a central government office was very tempting for the lairds, but they had to tread carefully.

Court offices tended to draw lairds away from their locality and thus tended to isolate them from the everyday needs of the Eastern Borders, but their influence remained and was undoubtedly increased by the acquisition of high offices. These lairds were fortunate as they could rely on the support of fellow lesser lairds who dominated the local administration in offices such as bailies and deputy bailies of baronies. There was, however, another source of office for the lairds to exploit in the administration of the Borders.

118. CSP Scot, xiii, pt 1 nos 112, 343, 363, 364. ER, xxiii, xliii-xlvi. RPC, v, pp. 490, 525-6, 530-1, 553-4; vi, pp. 32, 39-41, 114, 598. RMS, vi, 868. HMC, Milne-Home, nos 142, 144, 150.

ii. Border Office.

Border administration has been excellently and extensively researched¹¹⁹ by Ian Rae, but not from the point of view of individual lairds. The sixteenth-century wardens were usually appointed annually and were local greater lairds. The English wardens held office for longer durations and with the exception of Sir John Forster, were not local men. The Scottish wardenships misleadingly appeared to be hereditary as the office was dominated by Maxwells, Kers and Homes. The English disapproved of the Scottish wardens being locally powerful men, believing them 'extraordinarilye adicted to parcialities, favoure theire blood tenants and followers'.¹²⁰ It was true that kinship played an important part in all Scottish office-holding, but this remark was not well founded in the case of the Scottish East March where the Homes kept good order in comparison to the Middle and West Marches. The wardens of the Middle March were by contrast guilty of partiality as the Kers of Cessford and Ferniehirst allowed their personal feud to interrupt the system.

In 1564 Cessford as warden complained that Ferniehirst and his allies would not co-operate with him and from 1570-3 Ferniehirst falsely claimed to be warden of the Middle March, but actually was virtually accepted as such by confused English wardens. In 1584 Ferniehirst was exempted from Cessford's jurisdiction owing to the political favour of the earl of Arran he then enjoyed. Cessford was dismissed by Arran, to be temporarily replaced by Ferniehirst, but he was reinstated when Arran fell from power in 1585.¹²¹ The complexity of this wardenship continued with another

119. T.I. Rae, The Administration of the Scottish Frontier, 1513-1603.

120. Rae, op cit., pp. 237-45. NRAS859/134/4 CBP, ii, no 323.

121. GD40/2/10/51. CBP, i, nos 242, 258, 265, 270. RPC, i, p. 283. Rae, op cit., pp. 239-40.

exemption granted to Ferniehirst in 1590-1 and the practical division of Teviotdale between the two sides in 1593-5 and 1600-03. A division like this had previously occurred in 1576-8 along the Roman road, Dere Street, but this was not part of the Ker dispute as it was an experiment by Regent Morton to favour his kinsman, Douglas of Bonjedward.¹²² All these changes must have confused the opposite wardens, who had to receive accounts from two Middle March wardens but they were a result of central politics exploiting inherent tensions in the Scottish Marches.

The wardens were directly answerable to the crown, unless there was an appointed lieutenant, in which case the wardens reported to him. The lieutenants were latterly less important for in 1599 James VI appointed the earl of Angus as lieutenant of only the Middle and West Marches, but Cessford objected and so Angus was only left with the charge of the West March.¹²³ The office of warden was prestigious, but it was poorly funded and the duties were burdensome. The wardens, like sheriffs and bailies, were assisted by deputies, clerks and serjeants. As well as dealing with international Border law, the wardens were expected to be justiciars within their Marches exercising the power of a justice ayre in their warden courts.¹²⁴ Typical duties included holding regular warden courts, Border meetings (days of truce) with opposite wardens and providing escorts for strangers travelling through their Marches. Deputy wardens were mostly lairds and often kinsmen of the warden. Information about deputies is scarce as no formal records of warden courts survive, however, it is known that the sixth Lord Home employed Alexander Home of

122. GD40/2/11/56. CBP, i, nos 808, 1266. CSP Scot, ii, no 574; iv appendix no 65; v, no 284; xii, no 73. Fraser, Douglas, iv, no 194.

123. CSP Scot, xiii, pt 1 no 375. RPC, v, p. 464.

124. NRAS1100/633. HMC, Home, no 313/3. The fifth and sixth Lords Home conveniently combined the offices of warden and sheriff.

Huttonhall from 1582-94 and Home of Manderston in 1598 (who was warden from 1599-1600 during Home's absence). Similarly in the Middle March Sir Robert Ker had Andrew Ker of Primsideloch as a deputy and he was the warden in 1602 during Cessford's absence.

The Scottish Borders were not as militarized as the English Borders, so there was no equivalent of the Berwick garrison as a source of employment for lairds and their younger sons. The only military positions open to the lairds were at court or in France with the Scots Guard, neither of which was connected to the Border administration. The lairds were, however, much closer to their court than the Northumbrian gentry were to London and this had compensations with the availability of offices. The only other Border office that concerned the lairds were the intermittently held Border commissions that examined Border bills and tried to secure redress of grievances on a much grander scale than a warden's meeting. Although they were really international meetings of great importance to the central governments of both realms, the local knowledge of lairds who had held warden posts allowed them representation¹²⁵ on these commissions (as it did for the English gentry). Therefore the Kers of Cessford, Faldonside, and Ferniehirst and the Homes of Cowdenknowes, Huttonhall and Wedderburn were all members of these commissions in the second half of the sixteenth century and despite unsubstantiated reports that they were biased in favour of their kinsmen, they appear to have been efficient commissioners. These rumours of bias were diverse enough to accuse Home of Wedderburn of being both pro-and¹²⁶ anti-Cessford within a three-month period. The Commissioners were

125. Rae, *op cit.*, pp. 257-9. See chapter two pp. 179-80.

126. CBP, ii, nos 442, 490.

appointed by central government more for practicality than patronage as their meetings were vitally important to Anglo-Scottish relations, but this precedent was unique for most appointments, whether domestic or Border, were made for political reasons. The complicated political scenario of the Eastern Borders that lay behind these appointments now needs careful dissection.

IV. The Political Scene.

The lairds' politics were never stable as there was little political continuity in Scotland from 1540-1603. This created a confused political scenario which cannot easily be unravelled, particularly as many lairds were devious enough to play one faction against another for purely personal interests. Every decade had different politics and faction fighting to which the lairds were easily susceptible and this contributed to and even caused many feuds amongst the lairds. In the 1540s and 1550s pro-English and pro-French factions split the laird communities, whilst in the 1560s court politics began to filter into the locality and remained there for the rest of the century. Interference by courtiers enabled a rise of some lairds at the expense of traditional leaders like the Lords Home, which was similar to the rise of the gentry in north Northumberland at the expense of the power structure of the earls of Northumberland, but the Scottish rise occurred thirty years later in the 1560s, 1570s and 1580s. There was a turnaround in the 1590s and 1600-03 when the Border lairds and their kinsmen became influential courtiers themselves and thus influenced the local politics of their own areas themselves, rather than responding to the incursion of an outsider, as had been the case in earlier decades. Localized political power, however, was always

synonymous with Lord Home and the Home lairds in the Merse and with the Kers of Cessford and Ferniehirst in Teviotdale and Jedforest. This control was periodically challenged by non-resident noblemen such as Maitland in Lauderdale, Bothwell in the Merse and Angus in Teviotdale, but the lairds never failed to respond to these challenges and overall control of the Borders arguably lay with the lairds from 1540-1603.

In the 1540s international relations between Scotland, England and France dominated the local politics of the Scottish Borders. This decade, now known as the 'rough wooing', when protracted negotiations, bribery and threats from England along with the planting of English garrisons in Scotland attempted to bring about the marriage of the infant Mary, Queen of Scots and Prince Edward, heir of Henry VIII of England. The Border lairds were always in the frontline of Anglo-Scottish warfare and this was particularly the case in the 1540s. They naturally turned this situation to their best advantage as the English were desperate enough to offer the lairds money in return for allegiance at the beginning of the wooing. This treasonable practice was known as 'assuring' to England, for which the Scot had to 'wear a red cross sewed to his coat', pay his rent to England and generally assist the English soldiers in attacks on non-assured men and help supply their garrisons. There was also an implied commitment to helping the spread of Protestantism in an officially Catholic country, but how convincing the Border lairds were in this pursuit is questionable.¹²⁷ A report noted that lairds were 'feigning

127. CSPDom Add, 1547-65, pp. 404-05. CSP Scot, i, no 73. M.H. Merriman, 'The assured Scots', SHR, xlvii (1968), pp. 10-34 and 'War and Propaganda during the Rough Wooing', Scottish Tradition, (1979-80), ix, pp. 20-30. It was not just the Border lairds who assured as many other Scots did so. The Border lairds who did or did not assure are all mentioned in the appendix of this chapter.

themselves favourers of the word of God more for your pleasour than for Godes sake'.

No laird would have assured willingly to a traditional enemy to whom they had always held a belligerent attitude, without bribery. In October 1541 several young Kers had raided into England 'minding to provoke war between the realms', but by 1544 the Kers were assuring.¹²⁸ The lairds assured for multifarious reasons, but the lure of money must have been one of the most common causes along with the scare tactics of persistent and brutal harrying of those who had not capitulated. There was also the strong temptation to use English forces to attack rivals in feuds, such as the Kers adopted against the Scotts (who were conveniently non-assured). A few lairds may also have assured for religious reasons like ^{some of} the lairds of Angus, or for political expediency if they hoped to advance in the future united kingdom predicted by Henry VIII.

The Kers proved to be an obstruction to Henry VIII's plans as they deviously gave allegiance to him and Scotland simultaneously. Sir Andrew Ker of Ferniehirst typified this perplexity¹²⁹

(he) is so crafty an old fox and beareth himself so uprightly that it is hard to know unto what party he bendeth.

Ker of Littledean secretly communicated with England while attending the Scottish court in July 1543, but he did not reveal his true allegiance. The Pringles were reported to be ready to assure at this time, but one of their kinsmen was under sentence of death in England so they had little option. In fact Sandy Pringle, a younger son of the laird of Torwoodlee, saved this kinsman by offering himself as a spy to the English. The English found Sandy to be a trusted servant, who went further than

128. L & P. Hen VIII, xvi, no 1263.

129. Ibid, xviii, pt 1 no 529. F. Bardgett, op cit., pp. 90-104.

they anticipated by genuinely betraying Scottish activities throughout the 1540s. He was the only real turncoat of the Eastern Border laird communities, whose outright betrayal of the Scots led to denization and property grants in England.¹³⁰

The first real indication of Teviotdale and Jedforest lairds assuring came in June 1544, when the earl of Hertford attacked Jedburgh and the Rutherfords of Hunthill and Hundalee submitted as the burgh was their stronghold. In July Ker of Ferniehirst and his son were captured and probably forced to assure as Ker left his son as a hostage. By November the Kers of Cessford and Primsideloche, Douglas of Bonjedward and Kirkton of Stewartfield were also actively assuring and being paid for it, but this money dried up in February 1545. The lairds naturally complained and were 'like to revolt to the Scottish faction unless aid be the rather provided for them'. The lairds ironically acted as if they had been betrayed and reneged their obligations of assurance at the battle of Ancrum Moor in March 1545.¹³¹ The horrific devastation inflicted by Hertford's invasion in September 1545 led these lairds to re-assure, but they were loath to actually assist Hertford as 'the Borderers will not most willingly burn their neighbours' and janus-like they attended the Scottish parliament in October 1545.¹³² However the English garrisons that were planted after the Hertford raid ensured that the Border lairds kept their assurance, for resident soldiers were more immediately threatening than previous forays from across the Border. The Kers, Rutherfords and Pringles remained assured until 1549 and they were all subsequently

130. *ibid*, nos 868, 910, 945, 978; pt 2 no 74. Sadler Papers, i, p. 233. See chapter seven p. 442.

131. L & P.Hen VIII, xix, pt 1 nos 301, 684, 692, 945; pt 2 nos 468, 503, 684, 760; xx, pt 1 nos 244, 355. LAMB MS 3192 f. 363.

132. APS, ii, pp. 461-2. L & P.Hen VIII, xx, pt 2 nos 400, 534.

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pardoned for this treasonable activity.

The lairds of the Merse behaved rather differently from the lairds of Teviotdale and Jedforest. The dominant Home lairds followed the example of Lord Home and resolutely refused to assure to England throughout the 1540s. Some of the other Merse lairds like the Rentons of Billie chose to flee rather than face the troubles and the loyal Homes were latterly forced to do the same in 1548, when they retreated to their East Lothian properties and Dunbar Castle to await help from France.¹³⁴ The non-Home lairds were not so loyal and their activities were plainly treasonable. The pressures to assure were the same as in Teviotdale, but the English raids were more persistent here owing to the Homes' refusal to assure. Both the Merse and Teviotdale had been burned in October 1542, but in September 1543 a specific attack against Lord Home was planned 'considering his malice to the King and realm' and his kinsmen suffered similar attacks. An erroneous report in October 1543 stated that the master of Home along with the Homes of Wedderburn, Cowdenknowes, Ayton and Blackadder had assured. This was only wishful thinking as none of these Home lairds assured, not even after the atrocities committed by the earl of Hertford in 1544 and 1545. The Homes had the same resolve as Scott of Buccleuch who refused to assure even 'if all Tividall were brent in ashes to the bottom of Hell'. It should be remembered, however, that loyal Scots received remuneration as well as the assured Scots and the Homes of Polwarth were additionally rewarded with the placement of one of their daughters as prioress of North Berwick, which led to advantageous land

133. CSP Scot, i, no 299. RSS, iv, 464, 1109. Hamilton Papers, ii, p. 624.

134. CSP Scot, i, nos 143, 236, 245, 247. There was only one Home laird who assured, Home of West Reston.

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grants.

The Homes' situation became desperate in November 1547 when it seemed that French help was never coming. George Home of Ayton, who had been an English prisoner after the battle of Solway Moss in 1542 and had untypically refused to assure upon release, succumbed to the pressure and now promised to assure, but he tactically asked for a six-week delay in case French help came. Even Lady Home seems to have given a kind of assurance to Hertford (now Protector Somerset) without Lord Home's knowledge as she intercepted letters: 'I dare not let my lord my husband see your last writing about the rendering of Home and the pledges'. This deception is perhaps the reason why Hume Castle capitulated with suspicious ease to English forces in 1547. (The castle was not recaptured until December 1548). The help the Homes sought from France arrived just in time and they helped the French forces reconquer Scotland from the English occupation. Home of Cowdenknowes even travelled to France in June 1547 probably to plead for help for his beleaguered kinsmen. There were financial rewards for the Homes' loyalty in the form of gifts of escheats and pensions from the French crown, but this would have been much needed for reparation to damaged property and as compensation for burned crops.¹³⁶

The other lairds of the Merse were not as courageous as the Homes. Of

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135. L & P. Hen VIII, xvii, nos 638, 644; xviii, pt 1 no 23; pt 2 nos 146, 297, 298, 309; xix, pt 1 nos 49, 50, 293; xx, pt 1 no 1091; pt 2 nos 347, 400, 414, 456, 533, 534; xxi, pt 1 no 1279. ADCP, p. 569. Hamilton Papers, ii, pp. 65, 118-19, 287-8, 405, 465, 581, 619. Pitscottie, *Historie*, pp. 28-9, 105.
136. CSPDom Add, 1547-65, p. 386. CSP Scot, i, nos 75, 86. L & P Hen VIII, xvii, no 1143. CPR, 1547-8, p. 247. RSS, iv, 221, 507. HMC, Home, no 314. Mary of Lorraine. Corresp, p. 346. M. Merriman, 'The Struggle for the marriage of Mary, Queen of Scots: English and French intervention in Scotland, 1543-50'. London Ph.D 1975, p. 309. Lord Home went to France in 1551 to personally collect his pension.

the lesser lairds Alexander Cockburn of Caldra assured, but promptly left the country for France to serve in the Scots Guard and avoid the obligation. Haitlie of Mellerstain, Haliburton of Mertoun, Spottiswoode of that Ilk, French of Thornydykes and even Lord Home's adherents like the Dicksons of Belchester and Bughtrig assured to protect themselves from attack. There were two traitors amongst the Merse lairds, not of the calibre of Sandy Pringle, but damaging nonetheless to the loyal Scots, for both James Cockburn of Langton and Ninian Chirnside of East Nisbet spied for England during the 1540s. Chirnside advocated a stronger English policy even when their cause was lost¹³⁷

The moir gentylle we be handyllt the moir wyld be we. Quhen your grace sendis oni power in Scotland, haiff the heift (handle) and blaid in your awyn handis.....

The pattern of assurance was rarely straightforward for the lairds could deceive both French and English factions. George Ker of Linton, for example, was awarded the escheats of several assurers as the Scottish government thought him loyal, but he was actually assured. Of the fifty lairds who are known to have assured very few were prosecuted, owing to the grant of a general amnesty in 1548 to win back assured Scots. Those who were not part of this agreement were pardoned in the 1550s, including¹³⁸ the treacherous Cockburn of Langton.

The politics of the 1550s centred on much the same pro-French or pro-English factions, but this was particularly apparent in the years leading up to the Reformation. There was also an indication of the political independence by the Home lairds, as Home of Manderston was

137. L & P. Hen VIII, xvii, no 1143; xix, pt 2 nos 736, 754; xx, pt 2 nos 137, 912. CSPDom Add, 1547-65, p. 326. CSP Scot, i, nos 63, 211, 330. W. Forbes-Leith, Scots Guard, ii, pp. 138-46.

138. GD224/529/1/108. APS, ii, p. 462. RSS, iv, 464, 650, 724, 1513, 1880.

summoned to an important division of the Debateable Ground in 1551. Home of Cowdenknowes had been the first laird to break from the Borders when he was made a keeper of Holyrood Park in 1544 and his ascendancy protected him from prosecution for being involved with his Ker kinsmen's feud with the Scotts. Cowdenknowes actually murdered Sir Walter Scott of Buccleuch in 1552 in revenge for the murder of his father-in-law (Sir Andrew Ker of Cessford) in 1526. The accusation was that he had

strak him threw the body with your sword and said to the laird
of Cessford strik trelior and straik for thi faddis ane saik

It was the Kers and not Cowdenknowes who were threatened with banishment in France, but the threat was not carried out. Perhaps the government thought exile was more of an enjoyment than a punishment as it was fashionable to travel to France or they may not have wanted to jeopardize the auld alliance by foisting bloodthirsty Borderers on the French.¹³⁹

When the pro-English faction in Scotland, known as the Lords of the Congregation threatened to topple the pro-French party in 1559, the Homes and Kers remained neutral in spite of attempts made by both factions to recruit them. It is surprising that Lord Home did not immediately support the French faction as he had visited France in 1551, held a French pension of 2000 livres and had been awarded his own ward and marriage by Mary of Guise as a mark of favour. Home was, however, just displaying the janus-faced deviousness that many Borderers had adopted in the 1540s.¹⁴⁰

The 1560s were a very complicated period in Scottish politics, especially in the early years when the Reformation struggles predominated. There was no distinct or consistent pattern of political loyalty amongst

139. GD224/529/1/126. APC, iii, p. 492. RMS, iv, 819. RPC, i, pp. 133, 140-1. RSS, iii, 876. See chapter six appendix no 1.

140. CSP For, 1558-9, no 1096; 1559-60, no 902. CSP Scot, i, no 630. HMC, Home, nos 21, 313/3, 314. See chapter three p. 239.

the lairds, who switched between the ^{nominally} pro-English support for the Reformation and the pro-French opposition, probably more for reasons of political expediency than for religious fervour, but their true intentions were unclear. The decade began with renewed speculation about the allegiance of the Homes and Kers. The Kers of Cessford and Ferniehirst did come out in favour of the Protestant Lords of the Congregation as they were genuine supporters of the Reformation, but the Kers of Littledean and Primsideloch swayed. Home of Blackadder also joined the Protestant party, but Lord Home kept everyone guessing. Home was tactically paid his French pension, which had not been honoured for five years, but he remained neutral and then joined the Protestants. Home was not, however, trusted by William Cecil who believed 'Hume would be caught with a hook of a few ducats', but this could have been equally true of many of the lairds who attended the Reformation Parliament in 1560. By October 1560 there were rumours of new French pensions on offer and Lumsden of Blanerne even¹⁴¹ travelled to France to see Mary, Queen of Scots.

When news arrived in Scotland in December 1560 that Mary's husband Francis II had died, many of the Border lairds had second thoughts about their allegiance to the Protestant cause and met at Dunbar to discuss their predicament. The English faction, remembering the tactics of the 1540s, hoped that bribery would keep the Homes and Kers in their allegiance, but when Mary arrived back in Scotland in August 1561 they had¹⁴² reverted to her side. The early years of Mary's personal reign were relatively harmonious after the upheavals of 1559-60. The majority of

141. CSP For, 1559-60, nos 681, 755, 902, 910, 1049, 1092; 1560-1, nos 42, 435, 458, 619, 661, 880. CSP Scot, i, nos 736, 751, 977. HMC, Home, no 314; Salisbury, i, p. 176. See chapter five p. 355.

142. CSP For, 1560-1, no 792; 1561-2, nos 125, 211, 420.

Homes and Kers supported Mary. For instance James Home of Cowdenknowes was a servant of Lord Darnley and was one of those knighted by Mary in 1565, but there were a few dissenters as well such as Adam Home, a younger son of Polwarth, whose genuine Protestantism conflicted with loyalty to a Catholic monarch. Nevertheless the Homes, Kers and Rutherfords all supported Mary during the Chaseabout Raid of 1565. The position of the Pringles is unrecorded, perhaps because they accepted the status quo. In the Eastern Borders there were local tensions between the MacDougals of Stodrig and the Kers and between the Homes of Cowdenknowes and the Lauders of that Ilk, but these differences were unconnected with national events.¹⁴³

The murder of William Ker, commendator of Kelso, by his kinsmen was, however, directly connected to central politics. There was a general enmity between the Kers of Cessford and Ferniehirst and the earl of Bothwell in 1566 and the unfortunate William was an ally of Bothwell. Ker of Faldonside was party to William's murder and also to the murder of David Rizzio the Queen's secretary, so he was clearly on the opposite side to the Queen.¹⁴⁴ Lord Home was still loyal to Mary in March 1566, but he was a territorial rival of Bothwell, so when Mary married Bothwell he promptly deserted her party, refusing to recognize Bothwell as her consort. There is very little foundation in the pro-Bothwell rhyme

Hume and Hebron (Hepburn) hald you togidder
an ye dissever ye will rew it for ever.

as the Homes were not allies of Bothwell and indeed were much better off

143. CC8/8/4 ff. 30-1. CSP For, 1564-5, nos 1289, 1321, 1533; 1561-2, no 968. CSP Scot, ii, no 181. See chapter six, appendix no 8. MacDougal of Stodrig had the earl of Morton, Douglas of Cavers and Dickson of Buchtrig as overmen of his will, but as he lived in a Ker heartland this was unusual and points to local tension.

144. See chapter six appendix no 7. CSP For, 1566-8, no 205. CSP Scot, ii, nos 363, 458.

without them. A sharp division of the Home kindred occurred after the marriage with Wedderburn, Blackadder and Broomhouse following the Queen, whilst Manderston, Cowdenknowes, Fishwick and Huttonhall defected from her¹⁴⁵ along with Lord Home. Cockburn of Langton and Lumsden of Blanerne were amongst other Merse lairds who stayed loyal to Mary in 1567-8 and in Teviotdale the Kers of Ferniehirst, Littledean, Shielstockbraes, Primsideloch and Faldonside (now forgiven for Rizzio's death), along with the Ainslies of Falla and Mow of that Ilk all fought for Mary at the battles of Carberry and Langside. There were divisions within the Kers as well for Ker of Cessford diverged and fought against the Queen. This pattern of loyalty was complex enough, yet in 1568-9 it changed again in the aftermath of Mary's defeat at Langside in 1568. Faldonside, Wedderburn and Blackadder left Mary's allegiance, but Lord Home made an¹⁴⁶ ill-advised return to the Queen's party.

The exact reasons for Lord Home's decision to return to Mary's forces cannot be determined. Home had been a strong supporter of the King's party and Regent Moray until November 1569, when he disagreed with the regent and began provisioning Hume Castle in anticipation of trouble. Home's infant son had been granted a pension by Moray, in respect of their alliance and Home had been seriously wounded fighting at the battle of Langside for Moray against the Queen, with the support of 600 of his kinsmen and allies. This background makes his reversion to the Queen's

145. CSP Scot, ii, nos 502, 522, 632, 653, 766. RSS, vi, 354. Bannatyne Misc, i, p. 29. Calderwood, History, ii, pp. 359, 361-3, 365, 414-16. Dalyell, Fragments, ii, p. 9. Knox, History, ii, p. 210. Melville, Memoirs, p. 201. Mort. Reg, i, no 26. Teulet, Relations, ii, p. 337. M.E. Anderson (ed), The James Carmichael Collection of Proverbs in Scots, p. 79.

146. CSP For, 1566-8, nos 2405, 2411, 2606. CSP Scot, ii, nos 650, 653, 654, 810, 836. RMS, iv, 1834.

side all the more curious. Home may have openly reconverted to Catholicism, for he was never a very convincing Protestant and the rumours of an ostensibly Catholic rebellion by the earls of Northumberland and Westmorland would have influenced him. Godscroft believed that William Maitland of Lethington persuaded Home to change sides, but this was only one possible reason, there being so many other factors involved.¹⁴⁷

Sir Thomas Ker of Ferniehirst had never left Mary's allegiance, so he was a regular correspondent with her in exile. He anticipated her return after a successful Northern Rebellion and Mary's letters to him asked him to 'be reddy for our service quhen we sall mak you advertisement' and in another letter she hoped to deliver her next instructions in person so 'have yourself and frins in readynes'.¹⁴⁸ Ferniehirst's friends included Sir Andrew Ker of Littledean, Thomas Ker of Cavers and James Ormiston of that Ilk (who actually welcomed the rebel earls into Scotland when their rising collapsed). The earls sheltered at Ferniehirst and Hume Castles, but whereas Ferniehirst could rely on the support of his kinsmen in this troubled time, Lord Home was isolated from his kinsmen. The Kers allied to Cessford did not give the exiles any assistance as the old feud between them and the Kers of Ferniehirst came to the fore again, but this was at least expected. Lord Home's total alienation from his kinsmen was a departure from the traditional loyalty his family had commanded in the past and this division would dominate the local politics of the Merse in the 1570s.¹⁴⁹

147. NRAS2177/2690 f. 169. CSP Scot, ii, no 1199; iii, no 33. RSS, vi, 481. HMC, Pepys, p. 145. Melville, Memoirs, p. 201.

148. GD40/2/19/1/1A. NLS MS 7103 f. 1.

149. CSPDom Add, 1566-71, pp. 160, 164. CSP For, 1569-71, nos 555, 556. CSP Scot, iii, nos 59, 78, 84, 176-7, 897. Pitscottie, Historie, p. 259. See chapter six, appendix no 197.

In April 1570 an erroneous report stated that

In the Mers and Lauderdale newir man wilbe against the
Quene except a few nombre that depends on Mortoun.

This was presumably based on the knowledge that Lord Home and Maitland of Lethington (who held land in Lauderdale) as Marians, would rely on their kinsmen and tenants for support, but the noted 'few' who followed Morton were more of a crowd and thus overwhelmingly outnumbered the Marian support. Lord Home's 'best friends in the Merse have refused him', which in practical terms encompassed all his kinsmen and close allies, yet instead of sensibly yielding to the pressures of this wholesale desertion by his kinsmen Home actually became more resolute in his support for the Marians. Even the battering ^{of} Hume Castle and its subsequent surrender to English forces did not change Home's allegiance. ¹⁵⁰ The retributive action by the Englishmen who had garrisoned the castle was a nasty reminder of the 1540s, but this time Lord Home had no grass root support to recapture it. The garrison knew of Home's predicament and therefore gathered his crops for their own profit, without being challenged. There were pitiful ¹⁵¹ and pointless negotiations for the castle's return in 1570 and 1572. Home, ironically, gained the sympathy of Lord Hunsdon, his opposite warden in the English East March, who was a staunch Protestant and cousin of Elizabeth I, for he could see only too clearly how Home's kinsmen were usurping his position. Hunsdon's reasons for backing Home might have been based on a friendship for Home or he may just have disliked a fellow nobleman's ill-treatment by his vassals, as his support for a Catholic Marian sympathizer is mystifying.

150. CSP For, 1569-71, nos 735, 858, 872. CSP Scot, iii, nos 168, 177, 197, 250, 382, 783, 895. Warrender Papers, i, no 56.

151. CSP For, 1572-4, nos 286, 300, 531. CSP Scot, iii, nos 405, 523; iv, 165, 310, 320, 420.

Alexander Home of Manderston was the principal target of Hunsdon's wrath and he determined that Manderston should not be granted Hume Castle.

Alexander looks to govern all the Marches, for which reason he desires so much that Home and Fast Castles be delivered into the hands of the King, for then he would sit down there.

Hunsdon actually wrote to Manderston in a threatening manner telling him that neither 'you nor any other shall intermeddle with it' and this¹⁵² sparked off a vicious correspondence on the subject. Hunsdon was not alone in his dislike of Manderston as Home of Godscroft launched a stinging attack on Manderston's arrogance in his family history, which admittedly came easily to him as his kindred Homes of Wedderburn were rivals of Manderston in the Merse during the vacuum of the 1570s and 1580s that was created by the downfall of Lord Home. Manderston was a descendant of the Wedderburn Homes, so Godscroft may also have resented a more junior ranking kinsman's success, but Manderston's ambition cannot be condoned as he acquired some of Lord Home's property after his forfeiture and wanted to go much further than this and equal if not exceed the wealth¹⁵³ of the Lords Home.

praecipue Manderstonus magnam familiam alebat et magnitudinem per virum ora ostentabat, quicquid ageret, cum pompa quadam ac jactitatione agens, etiam quod vel solus, cum uno vel altere comite, praestare posset, maluit collectis quam maximus ad ostentationem copiis.

Lord Home had trusted Manderston more than Wedderburn in the 1560s, because of their shared defection from Mary, Queen of Scots, but he regretted this in the 1570s.

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152. CSP For, 1572-4, nos 381, 402. CSP Scot, iv, nos 273, 316, 319, 322, 333. Fast Castle belonged to Lord Home's second wife in jointure. She was the widow and mother of the owners, the Logans of Restalrig.
153. CSP Scot, iv, nos 702, 734. RMS, iv, 2177, 2178. RSS, vi, 1625, 2318, 2320, 2381. Godscroft, De Familia, pp. 45-9, 52-3.

When the Marian rebels surrendered Edinburgh Castle to Morton's English-assisted forces in 1573, Lord Home was apparently only saved from execution by the intercessions of the Homes of Manderston, Cowdenknowes and North Berwick.¹⁵⁴ This account barely seems credible, considering the hostility between Lord Home and the Homes of Manderston and Cowdenknowes (who also did rather nicely out of Home's fall). North Berwick was more likely to have been Home's saviour along with the Homes of Polwarth and Huttonhall and his kin the Kers of Cessford and Faldonside. Faldonside even did his former curator a good turn by leasing many of Home's forfeited lands, to prevent them being devastated at the hands of Morton. Lord Home's 1575 testament clearly states his revulsion for Cowdenknowes and Manderston,¹⁵⁵ as he asked Regent Morton to

tak sik offices as sumtyme appertenit to me, sik as the wardanrie and bailzeries, furth of the handis that presentlie occupyis thame and put thame in the handis of thame that hes nocht schawin thame selffis manifest oppressouris of me and my puir decayit hous....

It is rather pathetic to see that Home was ignorant of the fact that it was Morton (a former ally in the 1560s), who was deliberately trying to ruin him by bolstering Cowdenknowes and Manderston. Home's request was futile for bargaining with Morton was known to be impossible. Manderston

154. CSP Scot, ii, no 204; iv, nos 645, 665, 666. Melville, Memoirs, p. 256. Hume Castle was finally handed over to Regent Morton in November 1573, when Lord Home had been officially forfeited, but it did not go to Manderston as Home of Cowdenknowes became warden of the East March. The Diary of James Melville is not the most reliable of sixteenth century sources, as it consists of recollections made over many years. He stated that Home died shortly after his capture. It was, in fact, Maitland who died as Home lived on for another two years as Morton's prisoner.
155. CS7/4 f. 449. RD1/17 f. 183. RH15/19/1. NRAS 859/8/9. CSP For, no 1144. CSP Scot, iii, nos 415, 527, 636; iv, appendix, no 53. HMC, Milne-Home, no 540. See chapter six appendix no 76. Lord Home obviously objected to Cowdenknowes as warden of his March and Manderston being commendator of Coldingham, where he had been bailie.

grasped every opportunity he could to attack Lord Home's remaining influence in the Merse. This animosity surfaced in a feud between Manderston and the Cranstons of Thirlestane Mains, who were amongst the minority of lairds still loyal to Lord Home. Morton also tried to increase his influence in the Merse by marrying two of his allies to heiresses, but this was not a popular manoeuvre with the local lairds, who normally supported him. Patrick Cockburn of East Borthwick tried unsuccessfully to hide Jane Sleigh of Cumledge from Morton's officers. The lairds evidently opposed interference in their domain if there was no advantage to be gained from it, but when Morton had offered patronage to them they had responded particularly well.¹⁵⁶

The conduct of Cowdenknowes and Manderston was reminiscent of the Northumbrian gentry who took full advantage of the Percy interregnum in the 1530s and 1540s and is directly comparable to the actions taken by Sir John Forster against the property of the seventh earl of Northumberland in the aftermath of the Northern Rebellion.¹⁵⁷ Forster was, like Lord Hunsdon, sympathetic to a Border Marian for he sheltered Sir Thomas Ker of Ferniehirst in the English Middle March from 1572-4 (though Ker returned briefly in November 1573 to survey English damage to his property near Jedburgh). Again there must have been a local reason for this action for both Forster and Hunsdon ironically helped the earl of Sussex to burn Ferniehirst and Hume Castles in 1570.¹⁵⁸

Ferniehirst was more fortunate than Lord Home, for he had not been

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156. CSP Scot, iv, nos 314, 319. RMS, iv, 1535. HMC, Salisbury, ii, p. 303 (the date of which should be 1573 not 1579 as printed). Godscroft, History, p. 336. Moysie, Memoirs, p. 2. See chapter six, appendix nos 73, 81, 94.
157. See chapter two pp. 190-92.
158. CSP For, 1572-4, nos 719, 791, 819, 1223, 1564. CSP Scot, iv, nos 527, 567, 595, 708, 731, 750, 762.

involved in the final siege of Edinburgh Castle and had thus evaded capture by Morton. Nevertheless he was forfeited and suffered losses at the hands of English soldiers, as well as being forced into exile (in the English Middle March and then in France). Morton bestowed Ferniehurst's lands on his Douglas kinsmen to undermine Ferniehurst's local influence, just as he had attempted to do in the Merse with Home's power base. Morton also bolstered Ferniehurst's local rival, Ker of Cessford by granting him a 650 merk pension to assist him as warden of the Middle March.¹⁵⁹ Morton also forgave Cessford a fine of 500 merks. Morton even had the affront to try to lure Ferniehurst's immense grass-root support when he pardoned hundreds of them in 1576, but they were not turncoats like the Homes as they only accepted Morton's remission, not his politics. Ferniehurst remained in exile until 1581 for he was an unrepentant Marian, but despite a long absence his strong kinship network held together and remained loyal to him.¹⁶⁰

Aside from Lord Home and Ferniehurst the lairds either accepted Morton's power or tolerated it. Ker of Cessford was superficially loyal to Morton and was therefore left in the office of warden of the Middle March. Cockburn of Langton, Home of Ayton, Home of Wedderburn and Swinton of that Ilk had supported Lennox as regent, which denoted that they were both pro-English and pro-Protestant in 1570 and Langton openly supported Morton in 1574. John Cranston of Morriston was the only laird steadfastly loyal to Lord Home and he alone joined him in Edinburgh Castle in 1572-3. The pseudo-loyal Wedderburn and Pringle of that Ilk were pledged to

159. RD1/14 f. 11. CSP For, 1569-71, no 841. CSP Scot, iii, no 865; iv, no 472. APC, viii, pp. 158, 265. RMS, iv, 2347, 2369. TA, xiii, p. 148.

160. CSP Scot, v, no 191. TA, xiii, pp. 348-81.

to England in 1573 and Home of Huttonhall was superficially loyal to Morton, whilst Edmonston of that Ilk, Pringle of Galashiels and MacDougal of Makerstoun were probably more convinced followers of Morton.¹⁶¹ It is difficult to judge exactly how supportive these lairds were of Morton or England as the turbulence of the period saw lairds allying to four separate regents and dallying with English factionalism. Even the known supporters of Morton were fickle when he did not show them favour and deserted him with surprising ease.

Disenchantment with Morton began in 1576 when he snubbed both Home of Cowdenknowes and Ker of Cessford. Cowdenknowes had to pay a £5000 Scots fine for not keeping the Brounfields peaceable whilst he was their surety. He was supposed to do this by law, but being a favoured Morton supporter he could have expected the fine to be rescinded. Other reasons for Cowdenknowes' defection connected to kinsmen, proffered by George Hewitt are inconclusive as the Home kinship was fragmentary in the 1570s. A disagreement between Morton and the Homes of Manderston was unconnected to this as Manderston and Cowdenknowes were rivals.¹⁶² Cowdenknowes disaffection lost him the wardenship of the East March to Wedderburn in September 1578. Ker of Cessford had been annoyed by Morton's experimental division of his Middle March, so it was not surprising that the Kers were generally 'malcontent' with Morton. Morton also managed to alienate his greatest Merse ally, Home of Manderston, by marrying his illegitimate son James Douglas to Anne Home, heiress of Spott in East Lothian and niece of

161. SP52/25/35 I. CSP For, 1569-71, no 1078. CSP Scot, iii, nos 363, 897; iv, 477, 479, 625. RPC, ii, p. 385.
 162. CSP Scot, v, nos 383, 284. RPC, ii, p. 535. RSS, vii, 1635. Godscroft, De Familia, pp. 72-3. Moysie, Memoirs, pp. 17, 19. G.R. Hewitt, Scotland Under Morton, pp. 120-2, 127-9.

Manderston by marriage. Manderston had previously arranged Anne's marriage to his younger son George (later Sir George of Spott by the forfeiture of Douglas), so he was naturally incensed by Morton's snatching of a Home heiress and looked for an opportunity for revenge. The loss of a Home inheritance was a serious matter for the Homes and was even lamented by Manderston's rival, Home of Godscroft. Godscroft's brother Wedderburn remained a Morton supporter, but he was increasingly isolated in this allegiance and was warded for six months after Morton's downfall as a punishment.¹⁶³

Morton lost the regency in 1578, but remained head of the Scottish administration for a further two years. Hostility from the Home lairds may have persuaded him to allow the restoration of the sixth Lord Home to his near-ruinous estates.¹⁶⁴ The restoration of Ferniehirst was not so straightforward after his exile. He courted the favour of Morton and then earl of Angus in 1579, to bring about his restoration, unaware that Morton was losing power and that they were both trying to gain his attainder for themselves. Ferniehirst hoped that they would influence a pardon for him in return for manrent and the gift of marriage of his heir, but he was not obliged to keep these promises as both Morton and Angus were forfeited themselves in 1581.¹⁶⁵

Ferniehirst was licensed to return from France in 1580 and he arrived back in Scotland to witness yet more upheavals in Scottish politics. The

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163. NRAS 2177/2690 f. 228. Godscroft, History, pp. 336-40; De Familia, pp. 74-5. Morton also meddled in the Scottish West March, depriving Lord Maxwell of the wardenship. K.M. Brown, 'The Making of a Politique', SHR, lxvi (1987), pp. 153-4.
164. APS, iii, pp. 108-09. CSP Scot, v, nos 285, 433. Godscroft, De Familia, pp. 72-3. Donaldson, All The Queen's Men, p. 130.
165. CSP Scot, v, no 434. RSS, vii, 2231; viii, 380. Fraser, Annandale, i, nos 45, 46.

1580s saw a definite rise of lairds to power, such as Maitland of Thirlestane (who followed a successful father and brother at court). However, there was increased court interference in the localities as well, which was particularly evident in local feuding. Turbulent domestic politics also threatened international relations with the death of Lord Russell in 1585, but the events leading up to this event should be analysed first.

Morton was executed in 1581, to the satisfaction of many of his enemies. Lord Home escorted him to his execution, but Ferniehurst

stood in a shott over against the scaffold, with
his large ruffes, delyting in this spectacle.

The forfeiture of both Morton and Angus effectively checked the Douglas interference in the Merse and Jedforest areas in the 1580s. The Kers of Ferniehurst and their allies the Rutherfords were no longer obliged to Angus in manrent, yet the Rutherfords strangely remained loyal to Angus (who was temporarily restored in 1582). This caused some local friction in the Jedforest area that was more reminiscent of the Homes in the 1570s, but it may have been Ferniehurst's reported arrogance that alienated the normally loyal Rutherfords. The problem resolved itself with Angus's fall from grace in 1583 and Ferniehurst's full restoration. The Homes and Kers, with some exceptions, backed the ascendant earl of Lennox in 1580 and it was Lennox who masterminded the full restoration of Ferniehurst, Home and Maitland.¹⁶⁶

Lord Home had a much harder task than Ferniehurst in reclaiming his father's lands and offices from the ascendant Home lairds. The privy

166. CSP Scot, v, nos 476, 479, 512, 584, 591, 592, 615, 737; vi, 113, 182. CSP Spain, 1580-6, no 163. RPC, iii, p. 368. Calderwood, History, iii, pp. 575-6. Teulet, Relations, iii, p. 141. See chapter six, appendix no 207.

council had to order the Homes of Cowdenknowes, Manderston and Reidheuch to restore him to 'quhatsumevir landis, rowmes, offices and possessionis' they declared, which is a clear indication of these lairds putting avarice and ambition before kinship. Cowdenknowes was particularly reluctant to give the young Lord Home the teinds of Eccles Priory (a monastic gift to him from Morton) as he cheekily told Home to wait until he was twenty-one, which was not for another five years.¹⁶⁷ An English reporter was quick to quip that Lord Home was 'of no very good government or hope', but this was an unkind remark. Lord Home had a lot of ground to recover at a relatively young age, but he had succeeded in achieving this nearly impossible task by 1600.¹⁶⁸

The Ruthven Raid of 1582 saw the return of an ultra-Protestant regime to Scotland, but the raiders were ousted in 1583 by the ascendant earl of Arran. Many Protestant lairds followed the raiders, although none of them actively participated. The Catholic Ferniehirst went back to France in disgust and Lord Home only superficially supported the raiders.¹⁶⁹ The Kers of Cessford and Faldonside as well as the Homes of Cowdenknowes and Wedderburn all supported them, but fell from power when the raiders' regime collapsed. Only Ker of Ferniehirst was in a position to take advantage of their fall. He returned from his second exile in France in 1584 to become a close associate of Arran and score against his old rival Cessford, whom he unfairly engineered out of the office of warden of the

167. CBP, i, no 111. CSP Scot, v, no 781; vi, nos 86, 154, 164. RPC, iii, pp. 422, 425, 427. Ferniehirst and his kinsmen were now also pardoned for being involved in the murder of Regent Lennox in 1571. RMS, v, 635. RSS, viii, 379.

168. RH15/19/98. NRAS 859/2/7. RSS, vi, 2816. Bannatyne Misc, i, p. 68.

169. CBP, i, no 145. CSP Scot, vi, nos 330, 348, 361. Calderwood, History, iii, pp. 637-9. See chapter five p. 359.

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Middle March. Ferniehurst's appointment as warden in place of Cessford had disastrous consequences in July 1585, when political deviance or plain misfortune led to the murder of Lord Russell in mysterious circumstances at a day of truce between Ferniehurst and Sir John Forster. This sad episode is no less a mystery today than it was over 400 years ago. Godscroft recalled that 'whether by chance or of set purpose is uncertain'. Shortly before this Border meeting there had been a large-scale English raid into the Scottish Middle March, which would have antagonised the Scots, but would hardly have provoked the murder as raids were commonplace occurrences. Contemporary descriptions of the events of 27 July 1585 are unhelpful, as they are full of contradictions and exaggerations. Forster's reports are crucial evidence of the confusion surrounding the death of Russell. Despite being the father-in-law of Russell, Forster did not immediately blame his friend Ferniehurst, but he did hint that he could not keep his men under control. Forster significantly made absolutely no mention of the suspected complicity of Arran in the killing in his first report and neither did he think Ferniehurst's forces excessive for a Border meeting.

The forces that Ferniehurst had assembled did admittedly outnumber the English contingent, but they were not 'ranged in order of battell' as later reports suggested. Ferniehurst was after all a pompous man known to
 171
 like a large garrison around him. Russell was 'slaine in the myddest of his owne men', which suggests a prearranged plan to kill him by some

170. GD40/2/9/75. CBP, i, nos 228, 258, 265. CSP Scot, vi, no 298; vii, nos 40, 77, 101, 109, 118, 119, 120, 180, 411. HMC, Salisbury, iii, p. 73.

171. CBP, i, nos 278, 331. CSP Scot, viii, nos 32, 41, 45, 57, 60. Godscroft, *History*, p. 402. Ferniehurst had even been sheltered by Forster, when he was in exile in the 1570s. SP52/25/94.

Scots. However after the murder both Forster and Ferniehirst 'stood together and made a quietnes' then took order over pledges and prisoners and 'parted quietly oute of the feeld'.¹⁷² However, the next day Forster was a signatory to a divergent report that clearly suspected foul play and described a resultant tumult that ended with a foray four miles into England. Forster's first report made no mention of this foray and even taking his shock into account he could not have missed witnessing such an event, which was hardly going 'quietly' from the place. Elizabeth and Walsingham focused their blame on Ferniehirst, but they had absolutely no proof of his complicity. Walsingham with his usual guile determined to gather evidence against Ferniehirst, regardless of its authenticity. There was a suggestion that Russell had annoyed Ferniehirst by intercepting¹⁷³ letters, but James VI remained unconvinced and refused to hand him over.

The Scots did mount an investigation and James VI warded both Arran and Ferniehirst, but witnesses contradicted each other. James VI ultimately rejected Walsingham's claim that Ferniehirst was guilty, but his kinsmen, namely the Kers of Ancrum, Lintalee and Primsideloch and Rutherford of Hunthill, who had been friends of Russell before the incident were suspect. There may have been some enmity between Ferniehirst and Russell, as Russell called him half lunatic in May 1585 (probably on account of his pomposity), but for Ferniehirst to actually have his kinsmen murder Russell is dubious. Both sides continued to accuse the other of lying until the Scottish Border commissioners decided to settle the matter. They antagonised the English by declaring that

172. CBP, i, no 330.

173. SP59/23 ff. 231-2. SP52/24 ff. 7-8. CBP, i, nos 331, 335, 336, 341, 346, 358. CSP Scot, viii, nos 60, 65. CSP Spain, 1580-6, no 406. Hamilton Papers, ii, pp. 690-2. Melville, Memoirs, p. 344. Moysie, Memoirs, p. 53.

they had instituted the trouble and that the death was accidental as Ferniehurst 'would rather the blood of one of his own friends had been shed'. The Scots commissioners included the pro-English (anti-Arran) lairds of Cowdenknowes, Huttonhall and North Berwick, so their sympathetic view of the events conflicted with their political allegiance. The reason for this was probably that they did not want to see a fellow laird being used as an English scapegoat.¹⁷⁴ The death of Russell therefore remains an enigma, but Elizabeth I sought revenge by letting the banished Lords (Angus, Mar and Glamis) return to Scotland in October 1585 to topple Arran's regime. The Lords were welcomed into the Borders by Bothwell, Home (whose mother had remarried a kinsman of Glamis) and Cessford along with the Homes of Cowdenknowes, Huttonhall and Wedderburn (a kinsman of Mar by marriage). Ferniehurst fell with Arran and died ignominiously at Aberdeen in 1586. His kinsmen were declared rebels for participating in the murder, but they were never punished. This was purely a manoeuvre to appease English opinion and keep Elizabeth I paying James VI his pension.

A different political order began with the fall of Arran. Bothwell and Home rose to prominence, but Maitland of Thirlestane (a former secretary to Arran) was the leader of this new order. The Homes of Cowdenknowes and Polwarth took their opportunities to advance in the rearguard of this movement, Cowdenknowes becoming captain of Edinburgh Castle and Polwarth entering court circles. Home of Cowdenknowes's ascendancy was undoubtedly helped by the simultaneous rise of Bothwell, who successfully petitioned for Cowdenknowes release from ward in 1584 and married his half-sister^{to} Cowdenknowes' son and heir. Bothwell's rise

174. PRO IND1/6887. CBP, i, nos, 341, 359, 368. CSP Scot, viii, nos 58, 69, 75, 80, 85, ¹⁷⁴187, 420, 656, 681, 701.

helped the Homes of Cowdenknowes,¹⁷⁵ but it was an obstacle to the aspirations of the rival Homes of Manderston. They had done well out of the forfeiture of the earl of Angus in 1581 (who was a curator of Bothwell) and they still held Coldingham Priory, which was now the subject of a triangular contest between them and Bothwell and Maitland (whose kinsmen had previously held the Priory). Bothwell's claim had caused friction with these Homes since his restoration in 1581. This was highlighted with the murder, in 1584, of David Home of Cranshaws (a younger son of Manderston) by Bothwell's men. Cranshaws and the Manderstons had been allies of the earl of Arran (Bothwell's enemy), but¹⁷⁶ the root cause of this murder was probably the Priory. The Manderstons found little compassion from their ally Arran or from their kin chief Lord Home in this matter. Home was intriguing with Bothwell at the time and was still bitter about the Manderstons' treatment of his father in the 1570s. The Manderstons therefore turned against Arran in a rare moment of unanimity with the other Home lairds. Coldingham Priory was eventually yielded to Bothwell by the Manderstons owing to crown pressure and Maitland was diplomatically compensated by an exchange agreement over Kelso Abbey (held by Bothwell). The Homes of Manderston's ascendancy was therefore ended with this surrender, but their younger sons remained

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175. NRAS2177/2690 f. 242. CBP, i, no 215, 376. CSP Scot, vii. no 138, 180; viii, nos 177, 209, 291, 305, 337, 343, 656, 681. RMS, v, 286. RSS, viii, 338, 355, 661, 1449. Donaldson, James V to James VII, pp. 182-3. The marriage between Bothwell's sister and Cowdenknowes was not part of a pacification in the Bothwell and Manderston feud as suggested in K. M. Brown, Bloodfeud in Scotland, p. 128 (RD1/36 f. 271), as they were still rivals in the 1580s.
176. CSP Scot, vii, nos 113, 304, 308. IR, xxiii, (1972), pp. 128-9. See chapter six, appendix no 13. Cranshaws not just a political pawn, (Maitland, *op cit.*, p. 61) as his family's feud continued with Bothwell for many years after his death.

successful buffers against Bothwell at court led by Sir George Home, with
 the Homes of Tinnis and Whitelaw in lesser roles.¹⁷⁷

Along with a rise of the lairds, the second half of the 1580s also witnessed the beginning of a more personal reign by James VI, who independently meddled with local politics and promoted the younger sons of the lairds at court. He visited the Eastern Borders on hunting trips, such as in 1588 when he stayed with both the Kers of Cessford and Ferniehirst (so as not to inflame their feud) as well as Cockburn of Langton and Lord Home.¹⁷⁸ James deliberately set about cultivating a 'safety net' of loyal lairds in the Eastern Borders in case Lord Home followed the rebellious behaviour of the earl of Huntly, Lord Maxwell and subsequently Bothwell. Huntly and Maxwell normally had an impenetrably loyal kin groups, but Lord Home's kinsmen now had a record of disloyalty that could be manipulated by James VI for this purpose. James therefore bestowed patronage on the lairds on an unprecedented scale and took a personal interest in their feuds. For instance, when he was about to embark for Denmark in 1589 he halted Court of Session actions against the Homes of Blackadder, Cowdenknowes and Tinnis to ensure fair play upon his return.¹⁷⁹

Maitland of Thirlestane also interfered in local politics for his own ends, particularly in Lauderdale and the Merse. He effectively subdued his pro-Bothwell neighbours, the Homes of Cowdenknowes, who were forced to hand back previously forfeited property to Maitland 'in friendship' and he made a good attempt to wrestle the teinds of Lauder from Lord Home.

177. RD1/26 f. 306. APS, iii, p. 454. HMC, Seventh R, p. 430.

178. BL Cotton MS, Caligula, D, i, ff. 336-7. CSP Scot, ix, no 455. Moysie, *Memoirs*, p. 67. James VI had far more personal contact with his subjects than Elizabeth.

179. RH15/19/8. See chapter six, appendix nos 70, 107, 138.

Maitland also scored a victory over Bothwell, who was forced to resign the office of baillie of Lauderdale to him in 1587 (which may have been part of their deal over Coldingham Priory) and he also deliberately incited Bothwell's feud with the Homes of Manderston. Lord Home was initially jealous of Maitland's rise to power and quarrelled with Maitland's brother-in-law Lord Fleming in 1587, but he later realized that Bothwell was more of a threat to his local power than Maitland and sided with Maitland against Bothwell.¹⁸⁰

The answer to the question of who really ruled the Merse in the 1580s lies in the power struggle between Home and Bothwell, but there was a little initial friction between the earl of Angus (then sheriff of Berwickshire) and Andrew Home, commendator of Jedburgh, who tried to hold a sheriff court on Lord Home's behalf in 1580. Home was overruled on this occasion, but the young Lord Home became sheriff in 1581 upon the forfeiture of Angus, so this problem was resolved. Lord Home was also warden of the East March, which gave him a commanding position in the Merse, but in 1589 an anonymous report about the Merse stated¹⁸¹

this shire is divided in two partes, the weste governed by the Lord Home and hys followers, and the easte governed by the prior of Coldingham, who is now the earle Bothwell and followe him

This report was not accurate: The shire was not divided between Home and Bothwell but it did reveal a resurgence of support for Bothwell, who must have been a charismatic leader. His landholding in the area, before he gained Coldingham, was not large enough to give him much power and even with the Priory he was not a prominent laird in the Merse. It was in the neighbouring shire of East Lothian, rather than Berwickshire, that his

180. RD1/22 f. 369 RD1/26 f. 437 RD1/27 f. 206. CBP, i, no 523. CSP Scot, ix, no 367. RMS, v, 1172. See chapter six, appendix no 141.
 181. NRAS 859/11/2. CSP Scot, v, no 608; vii, no 113; ix, no 578.

landholding rivalled, if not superseded, that of the Homes. Lord Home and the Home lairds dominated the Merse in the 1580s and as if to emphasize this James VI ordered Home to stay in the Scottish East March and Bothwell to remain in Edinburgh and the Lothians, during his absence in 1589-¹⁸²90.

Home and Bothwell had inherited a jealous rivalry from the previous generation, but were friends in between periods of squabbling, giving rise to a complicated feud that persisted into the 1590s. Bothwell's charisma sprang from his combination of good education, appreciation of culture and staunch Protestantism, all of which were admirable qualities in the late sixteenth century. He attracted a varied following that included Thomas Cranston of Morriston (normally a Home ally), Ninian Chirnside of Whitsomelaws (his servitor), William Craw of Swinwood (a tenant) in Berwickshire and William Ker of Ancrum (who needed support against Cessford) and James Ker of Middlemist Walls in Roxburghshire. The enmity that occasionally surfaced between Home and Bothwell was not based on a territorial rivalry, so it could have been caused by inherited prejudice or perhaps by the memory of Morton's connivance against the fifth Lord Home for Morton had been a tutor of Bothwell.¹⁸³ Home and Bothwell first quarrelled in 1586 when Home decided to forgive the events of the 1570s and support the Homes of Manderston in their feud with Bothwell and they argued anew in 1587 over the teinds of Greenlaw and Hume. When Bothwell fell foul of James VI in 1589 on witchcraft charges Home quickly deserted him (on Maitland's advice) to milk crown favour and he even sat on the

182. RH15/16/3. RMS, v, 218. RPC, iv, p. 423.

183. RD1/14 f. 11. CBP, i, no 499. CSP Scot, viii, no 488. Donaldson, op cit., pp. 190-2. See chapter six, appendix nos 137, 199, 209 and pp. 397-99.

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jury that tried Bothwell. By August 1589 Home and Bothwell were openly feuding again, owing to the deviousness of Maitland of Thirlestane who had separate quarrels with both men. Maitland offered to arbitrate their feud knowing well that an arranged meeting would not take place, as both men were bound to meet, fully armed, on the road to Thirlestane. This duly happened and a fracas ensued with violent results. Maitland wanted Home to continue feuding with Bothwell, as he was a threat to his own power at court (now that James had forgiven him for the witchcraft episode).¹⁸⁵ However during Maitland's absence from Scotland with James VI during 1589-90, Home and Bothwell discovered Maitland's plot and temporarily ended their feud.

The bizarre hostility between Home and Bothwell continued in the first half of the 1590s. These years were generally as turbulent and complex as the second half of the 1580s. Home fought anew with Maitland's kinsman Lord Fleming in May 1590, yet by July 1590 both Home and Bothwell were¹⁸⁶ confusingly reconciled with Maitland. This pacification was only short-term however, as Home was actively supporting Bothwell's terrorizing of James VI and Maitland in May 1591. Home only broke free from Bothwell during July and August 1591, when the lure of gaining some of Bothwell's escheat made it politically expedient for Home to make his peace with James VI. The King also insisted that Home sign a bond of friendship with Maitland, to prevent further trouble between them in the Borders. Home's pacification was greatly influenced by his kinsmen who were very

184. NRAS 859/134/3. CBP, i, no 448. CSP Scot, x, nos 28, 37, 71, 81, 84, 103, 204. HMC, Salisbury, iii, p. 404, 434.

185. CSP Scot, x, nos 191, 195.

186. CBP, i, no 671. CSP Scot, x, nos 386, 389, 404, 443.

persuasive in this matter. The Homes of Huttonhall, Broxmouth, North Berwick and Wedderburn felt revived obligations of kinship, not wanting Home to suffer the same fate as his father the fifth Lord had in 1573. Home submitted to their sound advice, but they kept a close watch on him and were probably the instigators of Home's self-imposed exile for eight months from 1591-2. This exile avoided embarrassment and kept Home from Bothwell's influence. James welcomed Home upon his return and bestowed expected lands and honours on him for forsaking Bothwell's allegiance, such as grand master stabler, gentleman of the bedchamber and captain of James's guard, as well as the gift of the much sought-after priory of Coldingham.¹⁸⁷ Bothwell was incensed and immediately renewed his feud with Home, but Home now had a commanding position at court to fend him off.

The 1590s and early 1600s saw native Borderers becoming influential courtiers in their own right, rather than having to seek patronage from other courtiers as they had done in the 1570s and 1580s. Lord Home, Sir Robert Ker of Cessford and Sir George Home of Spott were all typical of this new Border lobby at court. Lord Home used his ascendancy to settle disagreements with Maitland. Exactly why they argued can only be speculated about, but Home was not alone in his dislike of Maitland. Home may have been influenced by Maitland's poor treatment of Sir James Home of Cowdenknowes, who was now a close kinsman of Lord Home. Cowdenknowes had been ill and there had been an impatient and unnecessary scramble for his

187. GD206/1/7. NRAS 859/4/1 859/78. CBP, i, no 723. CSP Scot, x, nos 559, 586, 590, 592, 594, 598, 600, 625. RMS, v, 2114. HMC, Home, no 316; Salisbury, iv, p. 233. Lord Home evidently delighted in Bothwell's downfall, as he kept a copy of the Act of Parliament that forfeited Bothwell in his charter chest.

office of captain of Edinburgh Castle, led by Maitland. Home also accused Maitland of using him as a convenient means of trying to murder Bothwell, by fabricating their feud, or perhaps Home was prejudiced against Maitland because he had prolonged his exile in 1591-2 by forbidding him to come home in December 1591.¹⁸⁸ There was also the local matter of the teinds of Lauder that Home had to sell to Maitland with a good deal of resentment, because of financial embarrassment.

Home was still antagonistic to Maitland in June 1593, but the unexpected return of Bothwell united them and Cessford (with whom Home was also feuding)¹⁸⁹ against Bothwell. Bothwell naturally wanted his enemies the Homes, Maitland and Glamis, expelled from court and found support from his old allies in the Merse and Roxburgh, such as Thomas Cranston of Morriston, his tenant lairds Home of Prendergust and Craw of East Reston and frustrated younger sons, Alexander French of Thornydykes and Alexander Home of Blackadder as well as the town of Kelso, the Kers of Ferniehirst and the Rutherfords of Hunthill and Hundalee (who were probably just using Bothwell as a means of getting at their rival Ker of Cessford). Bothwell's coup collapsed in September 1593 and the Homes were welcomed back to court by a grateful James VI. Lord Home was triumphant and he¹⁹⁰

entered into very boasting terms against Bothwell, saying that the Earl, all the Stewarts and their partakers durst not tak one silly bee out of the moss of his bounds against his will

188. CBP, i, no 767. CSP Scot, x, nos 464, 520, 629, 652, 693, 680, 743, 773.

189. CBP, i, nos 824, 852, 865, 881, 889. CSP Scot, xi, nos 78, 86, 116, 126, 127, 133. Calderwood, History, v, pp. 141-2. See chapter six appendix nos 140, 141.

190. GD267/26/5. APS, iii, p. 528. CBP, i, no 768. CSP Scot, x, nos 598 (some of the signatories of this bond against Bothwell are suspicious as they were pro-Bothwell), 691, 749, 752, 756; xi, nos 130, 152. RMS, iv, 1966. RPC, v, pp. 26-7, 80. Dalyell, Fragments, ii, p. 30. See chapter six, appendix no 197.

Bothwell was furious, but he could do very little as Home was so ascendant at court. Home's one weakness was his Catholicism, but this was overlooked by the King who tried hard to prevent the Kirk excommunicating him. Even Maitland was forced to make an accommodation with Home in another bond of friendship that agreed to non-interference in each other's feuds (that is Home with Maitland's kinsman Cessford and Maitland with Home's kinsman Glamis). Tensions remained, however, which only ended with Maitland's death in 1595, when Maitland, realising that his dominance was over had to grovellingly ask Cessford, Buccleuch and Home to protect his¹⁹¹ wife and children.

Bothwell continued to be a threat to James VI and others in 1594. He targeted his one time friend Lord Home for revenge and succeeded in giving Home a fright in a skirmish near Niddrie, but he had little impact overall. Neither Home, Cessford or Scott of Buccleuch assisted Bothwell as they had gained too much from Bothwell's forfeiture in 1592 to be tempted back into his allegiance. D.H Willson believed that no one dared to accept Bothwell's forfeited estates at first, but this is¹⁹² patently untrue as lords and lairds scrambled for the bounty. James VI confirmed his gratitude to these three loyal Borderers by giving them important positions at the baptism of Prince Henry in August 1594. The celebratory tournament that followed the rite was won by the team of the duke of Lennox, Home and Cessford who were expensively dressed as Turks; Buccleuch was in another team, but what he looked like as an Amazon 'in

191. CC8/8/33. CSP Scot, xi, nos 134, 137, 157, 174, 206. See chapter five pp. 359-363.

192. CBP, i, no 940. CSP Scot, xi, no 234a, 237, 238, 266, 323. D.H Willson, King James VI and I, p. 114.

wemens array' can only be left to the imagination.¹⁹³ Sir Robert Ker of Cessford was rising quickly at court in 1594 and he would outshine the achievements of Lord Home in the remaining years of the King's personal rule of Scotland, but he had to overcome two major obstacles in the early 1590s to gain initial court favour.

Cessford began the 1590s badly with the murder of his rival William Ker of Ancrum. The reasons for this were rooted in the vindictive rivalry between the Kers of Ferniehirst (of whom Ancrum was a kinsman) and Cessford. Ancrum's support for Bothwell may also have contributed to this incident as Cessford was an enemy of his. Cessford remained a rebel for two years, but he was never really out of favour during this period and he ironically gained the support of English Border officials, for Ker of Ancrum had been one of the suspected murderers of Lord Russell in 1585. Ancrum always denied that he had murdered Russell, even on his deathbed which aggravated the English ambassador Robert Bowes who thought the minister had not dealt 'thoroughly with him', before his hasty death. Bowes was however only trying to find an excuse for Ancrum's denial, as the unfortunate man took twenty-two wretched and painful hours to die, during which period there would have been plenty of time for confession. Bowes successfully lobbied James VI for a pardon for Cessford in 1591, little knowing that the youthful and impetuous Cessford would become one¹⁹⁴ of the major headaches of the Border administration in the mid 1590s. Cessford therefore returned to court to milk the King's gratitude for

193. SP52/54/23. CSP Scot, xi, no 326. Warrender Papers, ii, no 84.

194. CSP Scot, x, nos 505, 507, 517, 598, 602, 606, 627, 639, 655; xiii, pt 1 no 6. RMS, v, 2018. HMC, Salisbury, iv, p. 175. See chapter six, appendix no 17.

ousting Bothwell, but he was known to be jealous of other peoples' share of Bothwell's forfeiture as he was clearly not satisfied with his allocation. Cessford's father was still alive, but he was the fiar of Cessford and therefore would have had access to most of the family's wealth. However, he looked elsewhere for extra profit. This is probably what led him to wreak havoc in the English Borders, where he and his henchmen blackmailed the residents and stole goods and animals without mercy, in the manner of a twentieth-century urban gang. All during this time of raiding and plundering Cessford was still well received at court, which greatly annoyed the English Border officials. A good and unusually accurate description of Cessford appeared in August 1596¹⁹⁵

he is wyse, quicke spirited, perfecte in Border causes, ambisious, desyorus to be greate, poore, not able to mayntenye his estate to his greate mynd : attended by beggars and lowse persons whose mayntenamce is by thefte supported by his countenance.

Cessford's ambition for increased wealth through reiving was only curbed when James VI, mindful of the succession, yielded to English pressure and insisted that his favourite go into English custody in 1597. Lord Home handed his cousin Cessford over in February 1598 'with great entreatie of letting passe formal unkyndness', as Cessford was finally growing up and looked like turning into a responsible laird. Bowes expressed a vague desire to see him hang (probably because of his embarrassment at gaining him a pardon in 1591), but this would have offended James VI. Instead Cessford received comfortable imprisonment and even befriended his former adversary Sir Robert Carey, the warden of the English East March, who¹⁹⁶

195. CBP, ii, nos 232, 236, 343, 431, 449. CSP Scot, xii, nos 80, 507. RMS, iv, 2214. See chapter six, appendix no 140.

196. CBP, ii, no 347. CSP Scot, xii, nos 212, 224, 256, 341, 400, 438 etc, 797, 831, 907; xiii, pt 1 nos 82, 124. R. Carey, Memoirs, pp. 33, 35, 40-1. See chapter seven pp. 429-30.

took him abroad with me at least thrice a week, a-hunting
and every day we grew better friends.

Carey's brother John also noted Cessford's transformation 'he is a fare
altered man that ever I saw from so bade to so good', who for once gave
¹⁹⁷
'good justice' to his opposite warden.

Cessford returned from England more like a hero than the devil he
really had been and proceeded to advance at court as if nothing had ever
happened. Cessford's frankly undeserved rise contrasted with the
peaceable Lord Home's imperceptive decline at court, which was caused by
his continued adherence to Catholicism and excommunication in 1598. Court
gossip about Home was unkind and no doubt stemmed from his enemies; 'The
Lord Home is verie sicke, some doe suspecte the French disease' or the
report that his house 'be infected with the plague' and some resorted to
wishful thinking saying that Home had left the country when he had not.
¹⁹⁸

James VI still showed Home some favour by staying with him and hunting
with him on several occasions, as he respected his good work on the
Borders, but Home knew that Sir George Home of Spott and Cessford were
more highly favoured than he and he therefore went abroad a disappointed
man in April 1599. Spott and Cessford had a 'champion of the chamber'
contest during Home's absence (which Spott incidentally won), but Home was
¹⁹⁹
nevertheless welcomed abroad and presented gifts to the King of France.

Lord Home was also welcomed into England during his travels, because
of his exemplary Border service, but Elizabeth I remained sceptical about
Cessford. She reprimanded James for favouring him, but he defended his

197. CBP, ii, nos 1116, 1122. HMC, Salisbury, viii, p. 315.

198. SP59/37 ff. 98-101. APC, xxviii, p. 405. CBP, ii, nos 546, 831,
946. HMC, Salisbury, ix, pp. 137-8, 151.

199. CBP, ii, nos 1059, 1060. CSP Scot, xi, no 460; xii, no 137; xiii,
pt 1, nos 329, 356, 359, 380. HMC, Salisbury, ix, p. 382.

actions in a personal letter

Think not therefore I pray you that my gracing of him is any ways in contempt of you..... I protest my gracing of him does only proceed upon his resolution to quit all his wild Border fashions.

Elizabeth however remained unconvinced.²⁰⁰ Cessford, for his part, was so preoccupied with his ascendancy at Court that he deliberately forgot all about his pledged kinsmen who were still languishing in English gaols, for lack of payment of compensation to wronged English Borderers. James, however, went too far in his favouring of Cessford in September 1599, when he was granted rule over the Merse during Lord Home's absence. Sir Alexander Home of Manderston vociferously objected to this as he had been left in charge of the East March as a temporary warden and the fact that his brother Sir George Home was a rival of Cessford's at court no doubt intensified his annoyance. Manderston therefore summoned the barons of the Merse to a rival meeting to one planned by Cessford. The trouble subsided when James intervened and revoked his agreement with Cessford,²⁰¹ leaving the Merse lairds to follow their warden, according to tradition.

James VI had stupidly risked the friendship of his 'safety net' of loyal lairds with this action. He needed to keep these lairds happy at a time when Lord Home was rumoured to be intriguing with powerful Catholic interests in Scotland and he had worked too hard on this policy up to 1599 to scupper the network of loyalty he valued. Lairds such as the Homes of Wedderburn and Polwarth had benefited from this, gaining many court offices and having Eyemouth and Redbraes made into free baronies for them. Lord Home was not offended by James' favouritism towards these lairds as

200. CSP Scot, xiii, pt 1, nos 362, 378, 382.

201. *ibid*, nos 403, 445, 471. HMC, Salisbury, ix, pp. 17-18, 28-9, 104.

he was in receipt of substantial patronage himself and his kin had experienced a renaissance.²⁰² The policy of the safety net was therefore probably not as effective in the 1590s as it had been in the 1580s, for after 1591 Lord Home was not a problem to national security and anyway his older and wiser kinsmen would not have let him do anything stupid.

When Home returned from his travels in May 1600 he found Cessford still entrenched as a court favourite. Home was nevertheless welcomed by the King with a banquet, for he had valuable intelligence reports from France. In February 1600 James VI had visited Cessford's houses of Holydean and Friars in Roxburghshire, ostensibly to attend his father's funeral, but he had enjoyed hunting on Cessford's lands south of Kelso.²⁰³

Cessford's favouritism at court continued in the autumn of 1600, for when he sought a licence to travel abroad, James VI offered him the title of Lord Roxburgh to dissuade him from going. Cessford's power-grasping attitude could not overlook this opportunity, which he accepted and thus stayed at home receiving envious admiration for his good fortune. He had probably wanted to travel to be fashionable as his fellow Borderers Lord Home and Scott of Buccleuch had already been to France.²⁰⁴ Cessford argued with Lord Home not long after his return from France, but they thankfully decided to settle their rivalry with a horse race, rather than by combat. James VI was conscious of their enmity, (as he was of most of the lairds' feuds in the Borders), so to be even-handed he offered Home the title of earl of March when he ennobled Cessford in deference to his

202. RMS, vi, 80, 668. See appendix.

203. CBP, ii, no 1148. CSP Scot, xiii, pt 2 nos 497, 509. HMC, Sixth R, p. 666.

204. GD40/2/11/64 GD224/529/2/196. CBP, ii, no 1291. CSP Scot, xiii,

more ancient title. Home however refused the offer, probably because he did not want to be ennobled alongside his upstart cousin Cessford, or perhaps he felt that he did not have the necessary financial status to merit the honour although the title would have increased his revenue. His father was rumoured to have been offered the title in 1565, but he refused²⁰⁵ as well, so there may be another unknown reason for Home's refusal.

James VI did not take offence at Home's rejection for he put him on his left hand when riding to Parliament, with Cessford and Spott leading. The King's even-handed approach towards the Border lairds continued in December 1600 when he asked Cessford's rival, Sir Andrew Ker of Ferniehirst, to the baptism of Prince Charles, along with his children. A recent pacification between the earl of Angus and Ferniehirst may also have been James's work for a marriage was arranged between them. This appeasement may also have been the result of a new generation of Kers and Douglasses deciding to forgive the animosity of their ancestors, like²⁰⁶ Lord Home and the Manderstons in the 1590s. The difficulties between Cessford and Ferniehirst were not so easily solved as this new generation was far from conciliatory, but James VI persisted in this almost insurmountable task. In July 1602 when the Border was likely to be destabilized by the feud, James personally intervened and demanded that Ferniehirst immediately sign a bond of assurance to keep the peace, but he must have had second thoughts about the harsh tone of the letter for in a postscript in his own hand he postponed the deadline imposed 'because of²⁰⁷ my lords of roxburghes going out of the cuntrey'. There is no evidence

205. CSP Scot, ii, no 192

206. RH6/3742. NLS MS 7103 f. 2. CSP Scot, xiii, pt 2 nos 579, 580, 583, 585, 586, 668. See chapter six, appendix no 113.

207. GD40/2/12/4 GD40/9/3. CSP Scot, xiii, pt 2, no 529.

that this feud ended before the Union of the Crowns in 1603, probably because it was too deeply rooted to be eradicated overnight, like the Ker and Scott feud.

Cessford (Roxburgh) did at last travel abroad in the summer of 1602. He had been so obsessed with his new image and title that he had forgotten about his former henchmen who were still in English custody. He was admittedly not legally responsible for them, but they were his kinsmen and looked to him for help. Four of them were put in the notorious Haddocks Hole prison at Berwick where 'two of them very sick and like to die' in February 1602. Although the two in question were later released, others remained complaining that 'we were brought out of a myre (York prison) to be thrown into a peat-pot'. When Cessford travelled through England en route for France (as he got too seasick to sail from Scotland) in August 1602, some of the pledges were still in the 'Hole'.²⁰⁸ Cessford was surprisingly granted an audience with Elizabeth I²⁰⁹ who marvelled at his changed character and promised to consider his kinsmen still in custody. Lord Home also met the Queen a few days after Cessford's audience, but he was on his journey home from a short visit to France after being James's ambassador to Henry IV. It is unclear if Cessford and Home met as they were not on the best of terms and Cessford was bound to have resented Home's ambassadorship.

Lord Home may well have procured the appointment as ambassador, with the connivance of his kinsman Sir George Home, who was now treasurer to James VI and an arch-rival of Cessford. There were the usual scurrilous

208. CBP, i, no 916; ii, nos 1445, 1463. CSP Scot, xiii, pt 2 nos 768, 773, 797, 821, 841, 846. HMC, Salisbury, xii, pp. 94, 128, 135-6.
 209. CSP Scot, xiii, pt 2, no 849.

remarks made about Home's absence, but he genuinely went abroad as the King's ambassador and not because he was

sore grieved with the French pokis and being every
year occasioned to go beyond sea for his health.

Home did not go abroad every year, though he did travel to France and beyond on three occasions between 1591 and 1602 and on the last visit he was welcomed as a knowledgeable ambassador for James VI. Another report that Home was going at his own expense is suspect for Home was not a wealthy nobleman and he would not have accepted the office without crown resources. The impoverishment of the Scottish crown only allowed Home's embassy to last from July to October 1602, but it was useful to the 'auld alliance' between Scotland and France and was definitely paid for by the crown as Home travelled in style with five gentlemen accompanying him (unlike his previous journey when he could only afford two companions).²¹⁰

Cessford must have returned to Scotland early in 1603 for both he and Home accompanied James VI on his journey to London to accept the English crown.

In the locality of the Eastern Borders the politics were fairly subdued during 1600-03, possibly in anticipation of the Union of the Crowns and because the political activities of local leaders were now centred on the court rather than in the locality. The favouritism of the adult James VI had allowed Border lairds to flourish in their own right at court from 1585 onwards, rather than through the various regents' patronage of the 1560s and 1570s. Lord Home and Lord Roxburgh were, however, the predominant leaders of the Eastern Border laird communities by 1603. Lord Home had enjoyed a renaissance denied to other noblemen,

210. CSP Scot, xiii, pt 2, nos 826, 832, 833, 837, 854, 866, 878.
Teulet, Relations, iv, p. 263.

such as the earl of Gowrie in 1584 and 1601 and the earls of Angus in the 1580s, whilst Roxburgh used his friendship with James VI to triumph over any local opposition. Courtier politics were therefore distinctly localized in the later sixteenth-century Eastern Scottish Borders, with the political boundary between county and court changing from the influence of noble courtiers to that of the local lairds established at court. This contrasted with the continual interference of London-based courtiers in north Northumberland at this time.²¹¹

The Eastern Scottish Borders therefore consisted of laird communities, rather than a county community from 1540-1603. These communities were diverse, complex and rarely static, but they were very strongly kin-based. The lairds themselves are difficult to categorize as landed men with the title 'of' a property, but with a minimum holding of two husbandlands they were bonnet, lesser or bonnet, lesser, or greater lairds. As with any grouping of landed men there were losers as well as profiteers in the mobility stakes of the sixteenth century. Kinship dominated landholding, inheritance and marriage on both sides of the Border, but kin relationships were more broadly-based in Scotland. They were not infallible as the fifth Lord Home found out in the muddled politics of the 1560s and 1570s, but overall they were a predominant part of the lifestyle of the lairds. Kinship and political alliance frequently intermingled with the appointments of lairds to domestic and Border offices. The large number of private jurisdictions in the Eastern Scottish Borders allowed a greater involvement of the lairds in local government, than the gentry had in Northumberland. The proximity of the

211. See chapter two pp. 193-204.

Scottish court also enabled more lairds to gain court offices and Border offices were far more localized in Scotland as well. The complicated nature of central Scottish politics led to various incidences of instability in the region that differed with every decade. The lairds fought off most interference by non-resident nobility, such as the earls of Angus, Morton, Bothwell and Maitland of Thirlestane, with their own increasing power at the centre of Scottish politics. They knew how to accept patronage from influential courtiers in the 1560s, 1570s and 1580s, but none of these outside influences was ever allowed to dominate their communities. By the 1590s their rise to powerful positions in government assured that any courtier influence on the locality would be their own and not contrary to the wishes of the local lairds' kin groups. The development of a direct crown interest in the Border lairds from 1585 onwards was treated as another source of patronage by the lairds, to be exploited, yet kept under control at the same time so as not to prejudice local interests. Therefore overall control of the area remained with the lairds throughout 1540-1603.



Map 5 The Eastern English Borderland

CHAPTER TWO

THE SOCIAL AND POLITICAL STRUCTURE OF THE GENTRY COMMUNITY IN THE EASTERN ENGLISH BORDERLAND

I. The Legacy of the Percies.

The counties of Northumberland and North Durham¹ cover a vast area. In 1540 their topography, poor communications and proximity to the frontier enhanced localism, making the creation of a 'county community' amongst the gentry almost impossible. Changes in the structure of the county's elite, from 1540-1603, also contributed to localism in the region with the rise of new independent, power-seeking and locally-based gentlemen at the expense of the traditional aristocratic leadership of the Percy earls of Northumberland. Therefore, instead of looking at a 'county community', my research has concentrated on the area to the north of the river Coquet where there was a strong sense of community amongst all the local gentry. Only the greater and middle gentry transcended this community by travelling outwith the area on government, business or social matters. The river Coquet is a recognised geographical and linguistic boundary in the county of Northumberland,² but another important reason for only studying the area to the north of the river is the daunting size of the county of Northumberland which prohibits a sixteenth century county study, when comparing and contrasting the politics, society and economics

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1. North Durham was incorporated into Northumberland in 1844. See map five and Saxton's map of 1576 (in back pocket).
 2. P. Dixon, 'The Deserted Medieval Villages of North Northumberland', University of Wales Ph.D 1985, pp. 58-61. P. A. Johnson, 'A Synchronic and Historical View of Border Area Bimoric Vowel Systems', Edinburgh Ph.D 1985, pp. 13-14.

of the landed men on both sides of the Border.³ The area to the north of the Coquet will henceforth be referred to as north Northumberland and North Durham.

The concept of a 'county community' in early modern England was first explored by Alan Everitt in the 1960s and was revised in the 1970s by Alfred Hassell Smith and D.N.J. MacCulloch⁴ amongst others. The first model depicted a semi-autonomous and inward looking community, led by powerful gentry families rather than Lords. The second model reflected a county that had lost its traditional aristocratic leadership in 1572 and this resulted in the gentry fighting for power, whilst being influenced by courtiers, but sending their own views back to Court. The third model showed geography working against a county community by creating localism, as Suffolk had an East/West divide, like Northumberland's North/South divide, but Suffolk, by comparison, was relatively peaceful after 1570 as the gentry fought their battles in the 1560s. The latest historical opinion about 'county communities' questions their whole concept as the gentry arguably belonged to many areas such as their parish, community, county and nation. Studies of county communities also tend to concentrate mainly on the greater gentry families, so a study of a small area can give attention to both middle and lesser gentry as well.⁵

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3. S.J. Watts has looked at the whole county of Northumberland, 1586-1625, in From Border To Middle Shire, but he failed to look at the original probate material at Durham which is a vital source of information for gentry families in particular.
 4. A. Everitt, The Community of Kent and The Great Rebellion, 1640-60. A. Hassell Smith, County and Court, Government and Politics in Norfolk 1558-1603. D.N.J. MacCulloch, 'Power, Privilege and the County Community: Courtly Politics in Elizabethan Suffolk', Cambridge Ph.D 1977.
 5. P. Williams, 'The Crown and the Counties', in The Reign of Elizabeth I, ed. C Haigh.

The community of gentry in north Northumberland and North Durham does not fit exactly into any of the three models mentioned above, but has aspects of all three, regardless of this area not being a full size 'county community'. Firstly the area was led by powerful gentry families, as in Kent; secondly there was a loss of aristocratic leadership, as in Norfolk and thirdly geography divided this area from the rest of the county, like the division in Suffolk. Most important of all however is that this area is not a county study, so all the gentry can be mentioned.

The loss of aristocratic leadership in Northumberland occurred from the 1530s onwards, which was somewhat earlier than in Hassell Smith's Norfolk, where the fourth Duke of Norfolk was a 'Prince' in his domain with unrivalled patronage until 1572.⁶ The earls of Northumberland were not as fortunate as the dukes of Norfolk, for although Lord Hunsdon, the warden of the East March, reported that the county of Northumberland knew 'no other prince but a Percy' in 1569, this was the opposite of the truth and a typical exaggeration by an Elizabethan Border officer.⁷ The earls' influence in Northumberland was traditionally centred around the barony of Alnwick, but the Tudor mistrust of overmighty magnates in the North had seen the rise of a deliberate crown policy to diminish the feudal power bases of the northern magnates and abolish the liberties that hindered royal justice.⁸ Henry VIII also bought land near the frontier to extend

6. Hassell Smith, op cit., pp. 21-44. Elizabethan Northumberland and North Durham had important differences to Norfolk as there was no lieutenancy here after 1585 (owing to the nature of Border tenure which exempted the area from parliamentary taxation), unlike Norfolk where the lieutenancy caused many problems and led the gentry to challenge the crown.

7. CSP For, 1569-71, no 568.

8. The King's writ had previously been inoperable in the liberties of Norham and Islandshire (=North Durham, part of the palatinate of Durham) until 1536 and Tynedale was abolished in 1504. Elton, England Under The Tudors, pp. 175-6.

his influence whilst his chief ministers, (Cardinal Wolsey followed by Thomas Cromwell), devised the clever plan to trap the sixth earl of Northumberland into leaving all his estates to Henry VIII.⁹ The fickle earl agreed and was pensioned in 1535, so when he died in June 1537, Henry VIII took full command of his vast estates, including Alnwick. These estates remained in crown control until the restoration of Thomas Percy, nephew of the sixth earl, in 1557.

This twenty year 'interregnum' from Percy control had a devastating effect on Percy loyalty in the barony of Alnwick, but the process had begun with Wolsey wooing Percy squires away from their feudal superior in the 1520s. Lesser gentlemen throughout the north had found themselves the subject of court interest for the first time and they responded well. Cromwell continued this policy in the 1530s, after Wolsey's death. New leaders appeared with varying degrees of success. The Lords Eure and Wharton were the ultimate success story of Tudor dabbling in northern politics. However there were also lesser but not insignificant achievers such as the Forsters of Adderstone. Thomas Forster married Florence Wharton, sister of Lord Wharton and his brother John rose from being a squire's younger son to become the political leader of Northumberland by the 1570s.¹⁰

Other families in north Northumberland and North Durham sought their place in the interregnum political elite as well. The Radcliffes of Cartington and the Grays of Horton and Chillingham were already well established top-ranking gentry families, but they were not slow to respond

9. He bought the manors of Redesdale and Coquetdale in 1546 and exchanged land with the earl of Rutland in 1547 to gain the Etal estates, which included lands in Glendale. E305/10/82 E305/F/23.

10. For the rise of Lord Wharton see M.E. James, 'Change and Continuity in the Tudor North', Borthwick Papers, no 27.

to Wolsey and Cromwell's plans. The additional lure of new land on the market, with the dissolution of the monasteries, served only to enhance Henry VIII's plans for the north and attracted greater gentry who were ever greedy for new lands and offices, such as the lucrative posts of commissioners for the dissolution. 'New' men like Sir John Forster, Lionel Gray of Berwick, John Selby of Branxton and Robert Collingwood of Eslington were appointed to these posts, giving them a sure foothold in the community.¹¹

The scene was therefore set for crown and court influence to expand further in this region with no resident magnate family, but the crown's hold was severely tested as early as 1536 with the rising known as the Pilgrimage of Grace.¹² In Northumberland this was more than a religious protest. The gentry mobilized into two distinct groups, one consisted of Percy loyalists such as the Lisles of Felton, Swinhoes and Roddams of Roddam and the other was made up of new crown supporters like Robert Collingwood, Lionel Gray of Berwick, Thomas Gray of Horton and Thomas Forster of Adderstone. Loyalty to the crown gave the Grays their first taste of Percy wrath when their properties were raided by men from Tynedale and Redesdale who were still loyal to the Percies. It should be noted that raiders from upland Tynedale and Redesdale sometimes raided lowland Northumberland, as well as Scotland, but in this instance they targeted the Grays' lands.¹³

Henry could have rewarded those loyal to him with monastic grants, yet he chose to give them direct patronage by awarding pensions in return

11. L&P.Hen VIII, vii, no 149 (73); x, no 1260; xi, no 504; xii, pt 1, no 1090.

12. For a detailed description of this rising see M.H.& R. Dodds, The Pilgrimage of Grace 1536-7 and the Exeter Conspiracy, 2 vols.

13. L&P.Hen VIII, xi, nos 1293, 1294; xviii, pt 1, nos 198, 237, 567.

for an oath of allegiance. The following Percy tenants received life pensions of £13-6-8 a year; John Carr of Hetton, Robert Collingwood, Richard Fowberry of Fowberry, Thomas Hepburn of Hepburn, and Ralph Ilderton of Ilderton. Other non-Percy tenants included Thomas Carr of Newlands, Lionel Gray, Thomas Holburn of Holburn, Edward Muschamp of Barmoor, John Selby and William Strother of Kirknewton. The greater gentry received £20 a year; Sir Robert Ellerker, Thomas Forster of Adderstone, Sir Roger and Thomas Gray of Horton and Cuthbert Radcliffe.¹⁴

In 1540 the leaders of north Northumberland and North Durham society were greater gentlemen, Robert Collingwood, Sir Cuthbert Radcliffe, Sir Roger and Lionel Gray. The Forsters and Selbies were only regarded as minor gentry,¹⁵ but by 1557, when the Percies were restored, the Forsters¹⁶ had a commanding lead over the other local gentry families. The Forsters' crown patronage had included advantageous leases of monastic and Percy lands, which made their rise spectacular and made them the head of the strong faction opposed to the Percies. The seventh earl of Northumberland resented his serious loss of traditional gentry support, but he could do little to reverse the situation as his local patronage was impaired and he was dependent^{upon} Queen Mary's continuance on the throne for court patronage. He could not therefore openly blame the crown for his misfortune as it was the Queen's father who had penetrated his domain so well and the privy council ironically recommended Forster to him in 1558.

14. Details of monastic leases are in chapter three. The gentlemen's pensions all but dried up in 1547, when Edward VI came to the throne, but the effect of paying the gentry had badly damaged Border defence. Robert Collingwood received one of the rare court offices granted to a local gentleman (Crowkeeper). *L&P.Hen VIII*, xii, pt 2, nos 249-250; xix, pt 1, no 278 (39). *APC*, ii, pp. 168, 477.

15. *BL Cotton MS, Caligula, B vi, 2, ff. 518-19.*

16. During the Percy absence Border lawlessness neither increased or decreased, so the new leaders were not ineffective. M.L. Bush, 'The Problem of the Far North...', *NH*, vi (1971), pp. 40-63.

The earl disregarded this advice and turned his vengeance on the Forsters, but this action gained him more enemies than friends, as did his over zealous investigation of the Heron and Carr feud and his support for the villanous Thomas Clavering, captain of Norham.¹⁷

The Forsters, Collingwoods, Grays and Radcliffes had welcomed the extension of royal power in their area. They were now leaders of their own society¹⁸ and the restoration of the Percies horrified them. They remained distant with the exception of the Collingwoods of Eslington, who defected back to Percy adherence to oppose the Forsters and gain^{the} office of constable of Alnwick. P.G. Boscher believes that the restored Percies built up an impressive power structure on the Border in a short space of time, but the damage of the interregnum, 1537-57, was irreparable and the Forsters were only temporarily silenced.¹⁹ Gentry opposition remained strong and although the earl was appointed to the wardenship of the East and Middle Marches he learned that these offices, alone, commanded little respect from the local gentry. (This lesson would be repeated with later, non-local warden appointees). Even Sir Henry Percy, the earl's brother, who gained the captaincies of Tynemouth (near Newcastle) and Norham, found ready opposition in the Selby family who were entrenched in Northumberland with powerful friends in Berwick as well.

The only victory gained by the earl was the dismissal of Sir John Forster as deputy warden of the Middle March, but this small triumph was

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17. B.W. Beckingsale, 'The Characteristics of the Tudor North', NH, iv, (1969), pp. 67-83. APC, vi, pp. 270-1. See chapter six pp.375-79. See chapter seven pp.422-23.
 18. R.R.Reid incorrectly argued that Northumberland knew no Prince but a Percy and that crown encroachment had been unwelcome, & only a minority resented royal interference. 'The Rebellion of the Earls, 1569,' TRHS, 2nd series (1906), xx, p. 176.
 19. P. G. Boscher, 'Politics, Administration and Diplomacy; The Anglo-Scottish Border 1550-60'. Durham Ph.D. 1985, pp. 290, 294, 438. CSP For, 1558-9, no 1128.

short-lived for the death of Mary in 1558 cut off the earl's court patronage and courtier rivalry led to Forster being appointed warden of the same March in 1560. The disillusioned earl then retreated from the Alnwick area to reside at his Topcliffe estates in Yorkshire, leaving his plans to use Alnwick as a base against the power of the Forsters and Grays in ruins. The earl grudgingly accepted that Sir John Forster was more powerful in the locality. Sir Henry Percy remained in Border service as he was more trusted, (as events in 1569 would vindicate), but he made little impact with the local gentry and Forster probably encouraged the²⁰ damaging investigation of Sir Henry Percy by the privy council in 1571.

Sir John Forster, despite his domination, was not without enemies in the locality. Percy servants such as George Clarkson, a keeper of Hulne Park near Alnwick, surveyed the barony for the earl in 1567 and took every opportunity he could to snipe at the Forsters. Clarkson regretted the loss of the 'old order' in the barony and his imprisonment by Lord Grey (who had replaced the earl as warden of the East March) contributed to his resentment of the new order in the barony. Clarkson must have been very disappointed by the poor response from the barony to the 1569 rebellion, which was led by the earls of Northumberland and Westmorland. A few gentlemen joined the earls and a small party held Alnwick castle, but the castle capitulated with suspicious rapidity and Forster installed his son²¹ Nicholas as constable. What small following the earl had in the locality was shattered by the collapse of the rebellion. Lord Hunsdon, warden of the East March, and Forster may well have publicly feared that loyal Percy tenants would try to prevent the earl being escorted through

20. G.R.Batho, 'The Percies and Alnwick Castle, 1557-1632', AA, 4th ser, xxxv (1957), pp. 49-50. See also p. 179 below. APC, viii, p. 51.

21. ALN MS AI/1/a - q. M.E. James, 'The Concept of Order and The Northern Rising, 1569', P&P, lx (1973), pp. 49-83. E164/37 f. 111.

Northumberland to his execution at York in 1572, but this was just typical Elizabethan bravado to ensure that money came north to pay the Berwick garrison, for their task was not unduly perilous.²² The journey symbolized a final victory for Forster, for although Sir Henry Percy was created eighth earl of Northumberland for remaining loyal to the crown in the rebellion, he was not trusted to live in the north and spent the rest of his life in exile in the south of England. His son, the ninth earl, was too preoccupied with science to bother with the north. The only interest the earls maintained in the north was to see that their rentals were collected properly. The ninth earl appointed a kinsman, Thomas Percy, as constable of Alnwick, but he was unpopular with the local gentry as well.²³

With the eclipse of Percy power in the north power-seeking courtiers strengthened their clientage in the area, just as they were cultivating clients in Norfolk after the fall of the fourth duke of Norfolk in 1572. The two counties are comparable after 1572, but Northumberland did not have Norfolk's clear division between 'court' and 'county' factions. Instead the Northumbrian gentry mixed local rivalries in feuds, rarely maintaining steady alliances and they only opposed the crown over Border service, more as an evasion of the expense of defence than deliberate opposition. The Northumberland gentlemen sought court patronage from influential men like Cecil, Leicester, Walsingham, Huntingdon and Essex, but they could switch allegiance and usually had other reasons for attacking local rivals, outwith their loyalty to courtiers, such as

22. CSPDom Add, 1566-79, pp. 117-18, 195, 417. See chapter six pp. 406-11.

23. Watts, *op cit.*, p. 58. In neighbouring Durham the rebellious earl of Westmorland commanded greater respect from his gentry in 1569, but unlike the Percies his forfeiture was total. Other well established families such as the Bowes, Hiltons and Lumleys filled the void left in 1569. M. E. James, Family, Lineage and Civil Society, pp. 32-3, 42, 67-8. ALN MS CIV/10/1.

religious differences, personal jealousies, or even old loyalty to the absent Percies. Whatever the differences between Norfolk and Northumberland there is no disputing that in these counties there was a²⁴ convincing 'rise of the gentry' at the expense of traditional aristocracy.

By 1600 the Forsters, Collingwoods, Grays and Selbies were still influential but they and newcomers, like Sir William Reed of Holy Island, faced a challenge from non-local office holders. Lord Hunsdon's sons Sir Robert and John Carey, Lord Eure and Lord Willoughby d'Eresby all appeared in Middle and East March offices in the 1590s, owing to the unsuitability of local men. Sir John Forster was dismissed from the Middle March, the Collingwoods' recusancy caught up with them and the Selbies had to fight to maintain their strength in Berwick. Ralph Gray also had a problem with his recusant family, but personal wealth and following kept him at the²⁵ forefront of local society. The sense of 'community' amongst the north Northumberland and North Durham gentry was still strong in 1600, so they were capable of subduing personal quarrels to mount opposition to the Careys, Eure and Willoughby. None of these new men had sufficient local patronage to topple the local gentry community, yet their power at court and Elizabethan sense of arrogance were seen as a threat by the gentry.

The changes in the structure of leadership in this area from subservient Percy squires to independent patronage-seeking gentry covers the basic political situation from 1540 to 1603, but there are other important aspects of gentry society, such as their everyday behaviour and social relations. The Northumbrian and North Durham gentry have

24. A. Hassell Smith, *op cit.*, pp. 333-340. This rise of the gentry challenges H.R. Trevor-Roper, *The Gentry 1540-60*, EconHR, supp, 1953. See also pp. 185-202 below.

25. CSP Scot, xiii, pt 2, no 908.

been typically lumped together with the violent frontiersmen or
 'moss-troopers' with lesser gentry in particular living beyond the law. ²⁶

All too often their violence and negligence has been exaggerated, firstly by Elizabethan officers who were anxious to receive their salaries and therefore reported their working conditions to be perilous, and secondly by twentieth century writers like George MacDonald Fraser who have failed to realise that many of these original reports were fabrications. To find the real truth a historian must read between the lines of these reports, preferably in their original state as many of the printed sources of State papers are strictly 'calendars' and often leave out important ²⁷ facts. This is often the case with political battles between local gentlemen who, with the help of the courtiers they were allied to, made slanderous accusations against their opponents. Another caveat is the use of information from the 1580s and 1590s, when State paper records ²⁸ multiplied considerably, for explaining events of earlier decades.

The gentry to the north of the Coquet should not be classified with the thieves of impoverished upland Redesdale and Tynedale, who all belonged to the Middle March, but lived according to different standards. The north Northumberland and North Durham gentry could survive on their

26. G. M. Trevelyan, 'The Middle Marches,' in Clio, A Muse and Other Essays, pp. 19-41 and M.H. & R. Dodds, op cit., i, p. 210; ii, p. 227 both refer incorrectly to mosstroopers. This term is relevant to mid-seventeenth century Border raiders and not the sixteenth century surname groups. P. Williams, 'The Northern Borderland Under The Early Stuarts', in Bell & Ollard, Historical Essays Presented To David Ogg, p. 2. G.M. Fraser, The Steel Bonnets, pp. 23, 43, 47-8, 91-3, 96-101, 153-5. J. Speed, The Theatre of the Empire of Great Britaine, p. 89.
27. CBP., CSP Scot., CSP Dom., CSP Dom Add., CSP For., etc.
28. e.g. P. Boscher, op cit., pp. 14, 18 (who uses CBP material from 1580, 1583, 1586, 1596 and 1601 for a thesis confined to the 1550s) and G. Fraser whose story of the reivers is heavily drawn from CBP, which really only begins in the 1580s.

more productive agricultural land and therefore had no necessity to steal. There was high ground in the East March as well, but as in the Middle March the majority of the gentry were happy to graze their livestock without raiding their English or Scottish neighbours.²⁹ This does not mean, however, that the gentry were above violence for they feuded amongst themselves with the ferocity known throughout Elizabethan gentry communities when tempers flared.³⁰

The everyday behaviour of the gentry centred on their families, kin groups and estates. The connections between these families are complex and are best explained by consulting the appendix of this chapter.

II. Mobility, Kinship and Marriage.

Table One.* Gentry Families, 1540-1603.

Year	No of Families.	:	Died out in male line	13
1540	72**	:	Disappeared without trace	6
1570	115	:	Lost or sold estates	12
1600	118	:	New families to area	6***
Total (1540-1603)	147	:	Cadet branches established	12

* Based on the appendix. i.e. included are all established families, younger son branches that were given land in perpetuity and new families to the area.

** This figure is incomplete owing to a lack of source material.

*** This figure includes those fortune hunters from outside the region who married local heiresses.

29. Camden referred to 'the better sort' in his Britannia, (1610), p. 799. B.W. Beckingsale refers to Borderers with no distinction, op cit., pp. 79-81, but A.L. Rowse identifies 'settled folk' in The Expansion of Elizabethan England, p. 7.

30. See chapter six pp. 368-70.

From 1540-1603, 147 separate gentry families lived in north Northumberland and North Durham, though there may well have been more than this as sources are not plentiful. The area was therefore a bastion of gentry. The classification puts the knights as greater gentry, esquires as middle gentry and ordinary gentlemen as lesser gentry.³¹ Not all these gentlemen officially held coats of arms as eighty years' lineage and a fee were necessary for registration with the heralds. Northumberland's poverty and remoteness did not help this situation, but there were a few surprising registrations and omissions. The Rutherfords of Middleton were listed, despite being a relatively unimportant family, whereas the Selbies of Twizel were not properly recorded.³² Identification is sometimes perplexing as there were many gentlemen who can only just be described as belonging to the gentry. This is not, however, as confusing as the muddled order of lairds in the Scottish Borders. In 1539 the local gentry were disparagingly described

there is about the Borders a petty gentleman, who have
no right to that name by ancestry lands or the like.

In north Northumberland, however, there were lesser gentry who believed themselves to be gentlemen and called themselves this in their wills, despite their apparent poverty, which was due to Northumberland being an economically backward shire. The probate court at Durham was particular about titles and were known to strike out references to gentility in a testament if they thought the testator unworthy of the distinction 'gentleman'. Therefore the 'petty gentlemen' were accepted as gentry by

31. G. Mingay, The Gentry, pp. 1-3.
32. See appendix.

local standards.³³ Other gentlemen are mentioned in several gentry lists or as jurors at Inquisitions Post Mortem.³⁴ Naturally the higher a gentleman's status the more likely he was to hold office and be noticed, but this was not a concrete rule as successful younger sons could be high sheriff of Northumberland or an Exchequer commissioner whilst remaining a plain gentleman, but the availability of monastic land often helped these sons to form cadet branches. New families were rare in this area because of the lack of prosperity, but a few appeared when tempted by heiress's fortunes or office in the Berwick garrison. The thirteen families who were known to die out during the sixteenth century are not remarkable as a certain percentage of landed families normally had no male heirs or died young without any children. Some gentlemen sold their land willingly, such as Vincent Rutherford of Middleton Hall, but others like Roger Fowberry of Fowberry lost his estate through mortgaging and had to bitterly accept downward mobility. However the majority of the gentry families were upwardly mobile or static during 1540-1603.

Table two has stratified the gentry of the Eastern Borders into greater gentry (knights), middle gentry (esquires) and lesser gentry (gentlemen). This stratification is typical of another northern county, namely Yorkshire, which had greater, middle and lesser gentry families with similar interests in land, office, kin, marriage, and education.³⁵

33. *ibid*, DPRW references. See chapter three for discussion of gentry incomes. John Harbottle of Rugley had his title of 'gentleman' struck out of his will at Durham, DPRW 1602. *L&P. Hen VIII*, xiv, pt 2, no 7. J. Sharpe, *Early Modern England*, p. 153.

34. SP15/4/30. *HMC, Rutland*, i, pp. 38-9. *Sadler Papers*, ii, p. 19.

35. J.T. Cliffe, *The Yorkshire Gentry*. See chapter four, section one for education.

Table Two. The Stratification of the Gentry

Greater Gentry Families. (10)

Collingwood of Eslington.
 Ellerker of Hulne.
 Forster of Adderstone.
 Forster of Bamburgh.
 Gray of Chillingham.

Gray of Horton.
 Horsley of Screnwood.
 Radcliffe of Cartington.
 Reed of Holy Island.
 Selby of Twizel.

Middle Gentry Families. (19)

Armorer of Belford.
 Beadnell of Lemmington.
 Bradford of Bradford.
 Carr of Ford.
 Clavering of Callaly.
 Craster of Craster.
 Haggerston of Haggerston.
 Ilderton of Ilderton.
 Lawson of Rock.
 Lisle of Felton.

Muschamp of Barmoor.
 Ogle of Eglington.
 Ord of Ord.
 Roddam of Roddam.
 Selby of Shoreswood.
 Strangeways of Cheswick.
 Strother of Kirknewton.
 Swinburne of Edlingham.
 Swinhoe of Cornhill.

Lesser Gentry families. (118)

Alder of Hobberlaw.
 Alder of Prendwick.
 Beadnell of Low Buston.
 Burrell of Howtel.
 Carr of Boulmer.
 Carr of Hetton.
 Carr of Lesbury.
 Carr of Newlands.
 Clennell of Clennell.
 Clerk of Wark.
 Collingwood of Abberwick.
 Collingwood of Barton.
 Collingwood of Bewick.
 Collingwood of Branton.
 Collingwood of Broome Park.
 Collingwood of East Ditchburn.
 Collingwood of Etal.
 Collingwood of Farnham.
 Collingwood of Great Ryle.
 Collingwood of Ingram.
 Collingwood of Kimmerston.
 Collingwood of Little Ryle.
 Collingwood of Shipley.

Felton of Great Felton.
 Fenwick of Brinkburn.
 Finch of Twizell.
 Forster of Brunton.
 Forster of Fleetham.
 Forster of Lucker.
 Forster of Newham.
 Forster of Overgrass.
 Forster of Tughall.
 Fowberry of Fowberry.
 Gallon of Alnwick.
 Gallon of Cawledge Park.
 Gallon of Trewhitt.
 Gray of Berwick.
 Gray of Doddington.
 Gray of Heaton.
 Gray of Howick.
 Gray of Kyloe.
 Gray of Outchester.
 Gray of Spindelston.
 Harbottle of Cawledge.
 Harbottle of Preston.
 Harbottle of Tughall.

Collingwood of Thornton.
 Collingwood of Thrunton.
 Collingwood of Titlington.
 Doxford of Doxford.
 Elwick of Elwick.
 Elwick of Humbleton.
 Horsley of High Farnham.
 Horsley of Newton.
 Horsley of Outchester.
 Lilburn of Middleton.
 Lisle of Dunstanburgh.
 Lisle of Hazon.
 Manners of Cheswick.
 Manners of Longframlington.
 Manners of Newton.
 Manners of Ord.
 Middleham of Alnmouth.
 Morton of Murton.
 Morton of Unthank.
 Muschamp of Lyham Hall.
 Muschamp of Middleton.
 Ogle of Burradon.
 Ogle of Holy Island.
 Ogle of Trewhitt.
 Ord of Horncliffe.
 Ord of Longridge.
 Ord of East Newbiggin.
 Ord of West Ord.
 Park of Warton.
 Proctor of Shawdon.
 Radcliffe of Thropton.
 Reveley of Ancroft.
 Reveley of Berrington.
 Reveley of Chatton.
 Reveley of Humbleton.
 Reveley of Tweedmouth.

Hazlerig of Swarland.
 Hepburn of Hepburn.
 Hering of Howick.
 Heron of Crawley.
 Holburn of Holburn.
 Hoppen of Hoppen.
 Rutherford of Middleton Hall.
 Rutherford of Middleton Tower.
 Salkeld of Alnwick West Park.
 Salkeld of Hulne.
 Scott of Earle.
 Selby of Beal.
 Selby of Biddlestone.
 Selby of Burton.
 Selby of Cornhill.
 Selby of Grindon.
 Selby of Grindonrig.
 Selby of Hulne Park.
 Selby of Longhoughton.
 Selby of Pawston.
 Selby of South Charlton.
 Selby of Tillmouth.
 Selby of Tweedmouth.
 Selby of Weetwood.
 Strother of Abberwick.
 Strother of East Duddo.
 Swinhoe of Berrington.
 Swinhoe of Mousen.
 Swinhoe of South Charlton.
 Unthank of Unthank.
 Wallis of Akeld.
 Wallis of Coupland.
 Wallis of Nesbit.
 Weetwood of Weetwood.
 Wetwang of Dunstan.
 Widdrington of The Friars.

The 147 families north of the Coquet contradict Lawrence Stone's figures³⁶ for the whole county of Northumberland in the sixteenth century. Stone assumes there were only sixty gentry households from 1550-99, probably because he refuses to recognize that there were county squires in the county before 1610 and his figures are correspondingly low. His survey of gentry houses in 1610 has serious oversights and several mistakes,

36. L. Stone, An Open Elite ?, pp. 39, 48.

again caused by too much reliance upon the Northumberland County History volumes, which are informative but biased towards the gentry subscribers of the series and lack much sixteenth-century detail.³⁷ S. J. Watts, consulted a much wider range of sources than Stone, yet he still underestimates the numbers of gentry families, citing only eighty-nine for the whole county in 1615. The original probate records at Durham verify the existence of many previously unmentioned gentlemen and they are a source too often overlooked by historians interested in Northumberland.³⁸

Kinship was a widely-based concept throughout sixteenth-century England for a 'cousin' could be a nephew or a distant relative.³⁹ The most obvious source of kinship was marriage, particularly amongst the greater and middle gentry, but for the lesser gentry kinship often implied political and social allegiance to the ancestral head of their surname from whom they were probably descended or to a powerful local family. Kinship amongst all levels of the gentry extended beyond blood relations. For instance the Grays' wealth and status ensured them a wide following and the Selbies' kin included very distant relatives in an elaborate entail of 1591. It is difficult to trace the exact descent of minor gentry, because of scarce documentation, but families like the Forsters complicate this situation as many of their branches descend from illegitimate offspring of the Adderstone branch. In a letter of 1590 to a

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37. Stone, op cit., pp. 433-5. Bamburgh Abbey was part of the Canon's house, whilst Bamburgh Friars was a separate holding. Alnwick Abbey, Fenham and Edlingham are all omitted, though they were substantial houses and Longridge was near Berwick, not Rothbury.
38. Watts, op cit., pp. 60-1, 68, 251-3. He records only one family leaving the county between 1586-1615, but table one shows that there were more than this. Also the Selbies of Grindon were gentlemen, not yeomen.
39. NRO ZHG1/14. R.A. Houlbrooke, The English Family 1450-1700, p. 40. D. Cressy, 'Kinship and Kin Interaction in Early Modern England', P&P, cxiii, (1987), pp. 38-69.

London 'cousin' (actually a second cousin) Sir John Forster refers to their great-grandfather having twenty-two sons. They had never met this cousin but such was the strength of Forster kinship that Sir John offered

If ther be any thing in this country wherin I may stand you
in steed, I pray you charge me therwithall, and thee shall
find me willing to accomplish the same.....

Sir John was helpful to more immediate kinsmen as well for he helped his
brother Thomas with a mortgage.⁴⁰ Sir John and Sir Cuthbert Collingwood,⁴¹
apart from leasing lands to kinsmen, sold and gave land to them as well.

Table Three. Gentry Landholding 1540-1603

Of whom held	Numbers
In chief	35
Crown lease. (Rutland lands, Duchy of Lancs, Monastic Leases)*	17
Earls of Northumberland. (Baronies of Alnwick Beanley and Mitford, Lordship of Ditchburn, Bailiffs and Keepers)	54
Gray. (Barony of Wark-on-Tweed, Manor of Wooler)	11
Ogle. (Barony of Hepple)	2
Dean and Chapter of Durham	4
From other gentry.	24
Total	147

* excludes the crown aquisition of the Percy estates 1537-57, but that 54 families were Percy tenants shows how poor their loyalty was in 1569.

At least twenty-four gentry families were dependent on other gentlemen for their land leases. Many of these leases were granted by

40. Raine, ND, pp. 308-09. CP25/2/192/ 30 Eliz/ HIL.

41. Thomas Collingwood bought Little Ryle from Sir Cuthbert and Richard Forster of Tughall was given land by Sir John. WARD7/88. NRO ZCE2/1.

kin leaders (usually greater gentry) to their kinsmen, so kinship was a very important factor in the local gentry community. Robert Collingwood of Eslington was noted as chief of his widespread kin in 1543 and nine of these gentlemen were dependent on him for their lands.⁴² The Forsters also had a broad kin group, with Sir John Forster superseding his brother Thomas as head of their kin owing to his spectacular political ascendancy.

A kin leader could also offer employment to less fortunate kinsmen in his household. Sir Thomas Gray of Horton employed a full cousin (Thomas, son of Lionel of Berwick), Sir Thomas Gray of Chillingham gave a household servant called Matthew Gray land in his will and William Haggerston of Haggerston had a well educated servant called Henry Haggerston.⁴³ Kinsmen were sometimes employed as trusted bailiffs as well. Peter Gray bailiff of Doddington for Sir Thomas Gray of Chillingham⁴⁴ referred to him as his 'master'. Favoured kinsmen were not necessarily impoverished however as Thomas Forster of Adderstone, junior and John Carr of Hetton were deputy sheriffs to sheriff kinsmen Ralph Gray (1582-3) and Sir Cuthbert Collingwood (1581-2), respectively.⁴⁵

The heads of kin groups needed a broad knowledge of their ancestry to correctly entail property or rebut claims made against their estates. The Selbies of Twizel and the Strothers of Kirknewton both made elaborate entails to keep their estates in the hands of their family and kin, but they were not under threat of losing these lands.⁴⁶ However the Horsleys of Outchester, Carrs of Hetton and Lises of Felton were in financial

42. L&P Hen VIII, xviii, pt 1, no 761. See appendix, Collingwoods of Barton, Bewick, Branton, Broome Park, East Ditchburn, Shipley, Thornton, Thrunton, Titlington.

43. SS, cxxi, p. 60; xxxviii, p. 174. CBP, ii, no 1496.

44. DPRW Reg iv, f. 100.

45. STAC5 K6/40. WARD9/442.

46. CP25/2/192/23 & 24 Eliz/MICH. NRO ZHG1/14. Laing Chrs, no 401.

difficulties and they all tried to mortgage their property to distant kinsmen, namely Henry Horsley of Lynn, Norfolk, Robert Carr of Sleaford, Lincolnshire and Thomas Lisle of Stannington and John Lisle of Acton of Northumberland.⁴⁷ These gentlemen wanted above all else to have their land remain with a kinsman of the same name. The Fowberries of Fowberry also kept in contact with remote kinsmen, the Fowberries of Holm in Yorkshire, referring to Robert Fowberry as 'uncle' though he was a distant relation.

The Grays' wide kindred included lesser gentry neighbours as friends and allies, rather than relations. The Hepburns of Hepburn were next door kinsmen to the Chillingham Grays and Sir Thomas Gray pitied the widow of a friend, leaving her a £5 pension.⁴⁸ Sir Thomas Gray of Chillingham hunted regularly with a group of friends that included his kinsman Thomas Forster of Adderstone, junior, and the husband of the aforementioned widow Thomas Ilderton of Ilderton who valued his hounds more than wife. Kinship and genuine friendship obviously intermingled in the gentry community, for as well as hunting together they must have visited each others houses socially. Thomas Carr of Ford visited his mother-in-law Lady Selby in Berwick and Robert Beadnell of Lemmington died whilst staying at Eslington which had been his mother's home.⁴⁹ Social contact is easier to ascertain when it led to marriage or the supervision of a will.

The most interesting example of the strength of kinship in the community happened in 1570 when Sir Thomas Gray of Horton left his entire estates to his grandson and ward Ralph Gray, the second son of Sir Ralph Gray of Chillingham. The estates were legally entailed to male Gray heirs

47. ADM75/101 (9 August 1593). NCH, xiv, p. 233. NRO ZAN M15/c/3.

48. SS, ii, p. 404; xxxviii, p. 173n.

49. C142/208/190. NRO ZHG1/17. CBP, ii, no 1434.

before his death to ensure their continuance in Gray possession, but his six daughters and their husbands were therefore disinherited and were naturally furious.⁵⁰ Sir Thomas had put kinship obligations before his own daughters, with the exception of his eldest daughter Dorothy who married Sir Ralph Gray of Chillingham. In his will Sir Thomas ignored the rest of his daughters, probably because they had made their opposition known and left many personal items to the Grays including his most treasured possession, a gold chain, which went to Ralph. Sir Thomas must have thought this entail would bring the two branches closer together as well as bolstering his (younger son) ward's prospects, but his action led to the two branches uniting for Ralph's elder brother Sir Thomas died childless in 1590. Ralph Gray then became the head of vast estates, which overshadowed even those of Sir John Forster.

The Forsters and Grays were kinsmen because of a second marriage. Dorothy Ogle married Sir Thomas Forster of Adderstone in the early sixteenth century and had four sons and five daughters. Dorothy remarried Sir Thomas Gray of Horton in 1529 and had a further six daughters, mentioned above. Sir John Forster was very proud to be a stepbrother of the Grays, protecting Dorothy's children after the death of Sir Ralph Gray, for which they referred to him as 'uncle'. Even in the 1590s when difficulties arose because of their differences in religion and politics⁵¹ Sir John hoped they would be resolved as Ralph was 'my sister's son'.

Marriages and kinship were inextricably linked in the gentry

50. WARD7/13 f. 46. C142/158/19. SS, cxxi, pp. 59-61. See chapter six appendix no 170.

51. DPRW 1595 (Sir Thomas Gray). CSPDom Add, 1580-1625, pp. 118, 367-8. CSP For, 1564-5, nos 955, 1195. See chapter five pp. 332-33. See chapter six, appendix nos 170, 191.

communities throughout England and north Northumberland and North Durham were no exception. Greater gentry marriages often extended kinship beyond the community to other communities or different counties, as they had the resources to travel and maintain social contacts outside the area. All traceable marriages are recorded in the appendix.

Table Four. Gentlemens' First Marriages.

Stratification	In Community.	Ex Community.
Greater Gentry.	13	12
Middle Gentry.	34	4
Lesser Gentry.	78	4
Total.	125	20

Table Five. All Gentry Marriages 1540-1603.*

Married down a stratum.	33	Married within 10 miles.	100
Married in the same stratum.	128	Married endogamously.	14
Married up a stratum.	36	Married merchant families.	11
Total marriages.	197	Married Scots.**	4

* Includes first, second and third marriages and the marriages of any children, when recorded.

** Cross-border marriages will be discussed in chapter seven.

Table four demonstrates the greater gentry's kinship beyond the community in comparison to the middle and lesser gentry. These marriages

52. Again I do not agree with L. Stone's results, op cit., p. 39 (Table 2.2).

often had recusant connections, for example William Haggerston of
 Haggerston married Margaret Butler from Lancashire.⁵³ The two families
 remained friendly for letters, intercepted by agents of Sir Robert Cecil,
 relate that William Haggerston's son Thomas was staying with his
 grandfather Henry Butler in Lancashire and had been ill with smallpox.⁵⁴
 Sir Thomas Gray married Lady Katherine Neville, daughter of the rebellious
 Catholic earl of Westmorland, in Yorkshire. This was not just an arranged
 match for Sir John Forster noted that they had a liking for one another
 and despite having fought the earl during the Northern Rebellion, he
 approved of his kinsman's marriage.⁵⁵ Sir Thomas Gray's brother Ralph
 also married a Yorkshire Catholic bride, Jane Arthington of Arthington.
 Her father held Ralph in high regard and left him in charge of his estates
 after his death in 1585, as well as leaving a horse to Sir Thomas Gray.⁵⁶

The marriage of Lancelot Strother to Eleanor Conyers of Sockburn, in
 Durham, is more unusual as Lancelot was from a middling gentry family,
 whilst the Conyers were leading gentry in their area. The Strothers were,
 however, an upwardly mobile family, so they naturally wanted ambitious
 marriages.⁵⁷ Middle rank gentry did not have the same resources as the greater
 gentry, but this did not prevent them from marrying outside the community.
 The greatest ratio of in community marriages lies, not surprisingly, with
 the lesser gentry, who often only had the resources to find a bride from
 the neighbouring gentry families. This correlation was commonplace

53. William was originally betrothed to a local recusant, Katherine Collingwood of Eslington, but she married Lancelot Carnaby instead. C142/432/134.

54. CBP, ii, nos 1496, 1497.

55. CSPDom Add, 1580-1625, p. 177. See chapter five pp. 331-32.

56. BIHR PR 23a, f. 122. SS, xxxviii, p. 175. The horse was mentioned in Sir Thomas's will of 1590 as 'Gray Arthington' and was left to his brother-in-law, Sir Cuthbert Collingwood of Eslington.

57. Laing Chrs, nos 1195, 1214.

throughout gentry and laird communities. For instance the Selbies of Biddlestone and Clennells of Clennells lived four miles apart and intermarried over two generations.⁵⁸ The majority of gentry marriages in table five were to families of the same stratum, that is lesser gentry usually married lesser gentry and 50% married within a ten mile radius. As new families were not encouraged to settle in an economically backward area the pattern of marriages was very localized by necessity as well, but the rate of endogamous marriages was low in comparison to the upland areas of where poor communications led to a high rate of such marriages.

The only new gentlemen in the community were fortune seekers or younger sons who sought heiresses, military positions or lands. They were usually from outwith the Eastern Borders as three marriages of local heiresses were to outsiders that were probably instigated by the Percies as a means of rewarding loyalty. Thomas Armorer of Ulgham married Elizabeth Lilburn to found the Armorerers of Belford, William Proctor of Craven in Yorkshire married Elizabeth's sister Isabel to found the Proctors of Shawdon and Robert Lawson of Little Usworth in Durham married Margery Swinhoe of Rock to begin the Lawsons of Rock. Sir Ralph Ellerker was an ambitious younger son from Yorkshire who was granted Hulne Priory and Border offices in the 1530s and 1540s and settled in the community after marrying the widow of Sir Edward Gray of Chillingham. Sir William Reed was another ambitious military man who worked his way up in the Berwick garrison and landed a few monastic grants as well to make his fortune. The only other newcomer was Thomas Salkeld from Cumbria, who may have come up to Alnwick to serve the Percies, but defected to the ranks of

58. See appendix and Saxton's map (in back pocket).

the Forsters for employment.⁵⁹ The marriages of heiresses to outsiders seem to have been accepted by the gentry community, but the local marriage of Thomas Carr, a younger son of John Carr of Hetton, to Elizabeth Heron of Ford created the most bitter gentry feud of the sixteenth century.⁶⁰

There were eleven marriages between gentry families and mercantile families, nine of which were with Newcastle merchants. Contemporary opinion was against gentlemen marrying merchants daughters,⁶¹ but the prosperity of Newcastle could not be ignored by the local gentry who readily married into the powerful Newcastle families of Anderson, Brandling, Mitford and Selby.⁶² Berwick was a less enticing source of mercantile wealth to the gentry, but its geographical convenience attracted lesser gentry such as William Burrell of Howtel, who married Elizabeth Morton of Murton. This was a mutually beneficial to both parties as the Mortons were trying to become accepted amongst the local Norhamshire gentry, by buying estates there.⁶³

Marriages of gentry children make a very complex pattern of kinship in the community. This was particularly apparent amongst the greater gentry who had large families.⁶⁴

most of the principall houses in the countrey are so neere comoynd together by bloud or alliance that there is verie few or almost none but are on the one side within the 3 degree

59. See appendix for all these families.

60. See pp. 185-87 below and chapter six appendix no 28.

61. For example - J. Ferne, The Blazon of Gentry, pp. 9-10.

62. Fortune Collingwood of Eslington married Henry Anderson of Newcastle. Jane Craster of Craster married Bartram Anderson, Ursula Buckton, widow of John Carr of Hetton married Henry Brandling and Margaret Selby of Twizel married Sir George Selby, a distant kinsman.

63. The other burgess gentry families were Morton of Unthank, Ord of Longridge and Beadnell of Low Buston.

64. The average size of gentry families is difficult to judge as the parish records of Northumberland and North Durham are very incomplete for the sixteenth century. BL Cotton MS, Caligula, C, iii, f. 120.

The Grays are a good example as their children married within the greater and middling gentry of Northumberland, Norfolk and Yorkshire, giving them the most impressive gentry connections in the community. In fact the Gray's kinship included most of the greater gentry families of Northumberland with marriages to the Widdringtons of Widdrington, Delavals of Seaton Delaval, Radcliffes of Cartington, Forsters of Adderstone, Collingwoods of Eslington and Herons of Chipchase. They often obliged each other by standing surety or accepting mortgages, but it was only the greater gentry who transcended the 'community' north of the Coquet. Ralph Gray of Chillingham probably regretted his kinship to the Delavals as they were slow to repay him for loans. However, Francis Radcliffe was more⁶⁵ useful by standing surety for Ralph in 1602. In 1577 Ralph and his brother Sir Thomas obliged Sir George Radcliffe with a mortgage and Ralph himself mortgaged his lands in 1593 to Sir John Forster, Robert Delaval and Francis Radcliffe amongst others. Kinship and financial matters thus⁶⁶ worked on a two-way basis amongst the greater gentry.

The only noticeable lack of kinship through marriage was between the Selbies and the Grays, and the Selbies and the Collingwoods. Local political rivalry may have been the cause of this as these parties feuded in the 1580s and 1590s. The Selbies tended to marry locally or endogamously, with the exception of a marriage arranged by Sir Francis⁶⁷ Walsingham for William Selby to Dorothy Bonham of Kent. Feuding gentry could however find useful allies from their kinsmen as the

65. Edward Gray married Katherine Le Strange of Norfolk as he was placed in the household of the duke of Norfolk, by his father. C142/141/31. NRO 650/B/1602 1DE/1/162 1DE/4/11. Hatfield MS C.P.Petitions 991.

66. These mortgages were often a cover up for evasion of wardship. See chapter three pp. 210-11. CP25/2/192/19 Eliz/EAST & 35 Eliz/ HIL.

67. See chapter six, appendix nos 35, 246. NRO ZHG1/14. Laing Chrs, no 627. HMC, Salisbury, iv, p. 188. See pp. 199-200 below.

Collingwoods of Etal were helped by their brothers-in-law Henry and Edmund Craster of Craster when fighting Ralph Selby of Weetwood.⁶⁸

Bonds of kinship were only as strong as the families themselves wanted them to be, but in north Northumberland and North Durham these bonds seem to have been strong. Probate records reveal how effective kinship was in practice as supervisors of wills are frequently kinsmen (executors were normally members of the immediate family). Robert Collingwood of Eslington's supervisors were all Collingwoods, Thomas Forster of Adderstone senior's were all Forsters and John Selby of Branxton's consisted of two brothers-in-law and a son-in-law.⁶⁹ Supervisors were not always kinsmen for Francis Armorer of Belford nominated Henry Haggerston of Haggerston and Thomas Forster of Adderstone who were neighbouring gentlemen, but not related to him. Presumably they were just friends who thought of themselves as being like kinsmen, but an underlying factor was that they were all Catholics in an officially Protestant country.⁷⁰ Another anomaly is the inclusion of powerful men as supervisors, who were not kinsmen and not even of the same religion. Robert Clavering of Callaly made the Protestant Sir John Forster a supervisor alongside his Catholic kinsmen Sir Thomas and Ralph Gray, perhaps to ensure that his will was honoured. Similarly William Collingwood of Barton, who was Protestant made his Catholic kin chief Sir Cuthbert Collingwood of Eslington a supervisor.⁷¹ The Durham wills also prove how wide and persistent kinship was as Thomas Collingwood of Eslington referred to his 'brother' Francis Radcliffe, but they were only

68. STAC5 L8/40 & S80/21. See chapter six appendix no 38.

69. SS, ii, pp. 148, 326. DPRW 1589 (1) Thomas Forster.

70. *ibid*, p. 404. Catholic supervisors are noted in chapter five as vital evidence for post Reformation Catholicism in Northumberland.

71. DPRW 1583, Reg vi, ff. 300-01.

connected by marriage to daughters of Sir Ralph Gray. Ursula Brandling made her son Sir Cuthbert Collingwood sole executor of her will in 1592,⁷² in spite of being widowed forty five years previously.

Children mentioned in the wills were often left to the guardianship of friends, godparents and kinsmen if they were not the subject of wardship. Wardship was 'a grossly inhuman method of taxation' when the crown decided the guardianship, marriage and custody of all lands of minors (that is males under twenty one) who held land in chief.⁷³ Wards in Northumberland were, in general, not ruthlessly exploited by guardians who either purchased their wardship direct from the Court of Wards and Liveries, or from the successful buyer of a wardship. Guardians were often kinsmen, which was unusual, or in the case of John Swinburne of Edlingham a family friend, for Sir Cuthbert Collingwood purchased John's wardship from Nicholas Errington, who had in turn bought it from the Court of Wards. Thomas Swinburne had wanted his son John to marry a daughter of Sir Cuthbert's and had arranged this before his death, so when a marriage did⁷⁴ take place there was no enforced obligation by the guardian on his ward. Robert Collingwood of Eslington was guardian to his nephew John Collingwood of Etal, as was Thomas Craster to Edmund Craster of Craster and Ralph Gray of Chillingham to Robert Collingwood of Eslington. When the Percy estates were not under crown control the earls of Northumberland were guardians to several minors including Roger Fowberry of Fowberry and William Lawson of Rock. The Grays of Chillingham, as feudal superiors of the barony of Wark, were guardian of John Weetwood of Weetwood.

72. SS, xxxviii, pp. 234-5, 268n.

73. H.E. Bell, An Introduction to the History and Records of the Court of Wards and Liveries, pp. 69, 79. J. Hurstfield, The Queen's Wards, pp. xv, 70, 80, 137-40, 157.

74. NRO ZSW1/193. ZSW1/194. In Scotland the sixth Lord Home refused to marry his guardian's daughter. See chapter one pp. 64-65.

The Heron and Carr feud left William Carr of Ford a minor in 1558 and because of the aggressive claims of the Herons the Court of Wards had no objection to his uncle John Carr of Hetton being guardian. William Carr remained suspicious of the Herons' intentions throughout his life, so before he died he asked ^{the warden,} Lord Hunsdon, to be guardian to his children. As a cousin of the Queen Hunsdon's guardianship would protect ^{them} _^, yet this was a great personal sacrifice for William as he was a church papist and this wardship led to his family being brought up as Protestants. ⁷⁵

If children were not the subjects of wardship then kinship and allegiance came to the fore. Several lesser gentlemen left their sons to the custody and service of the earls of Northumberland, but this was a diminishing practice and reflected the meagre Percy-dependent estates of George Harbottle of Cawledge and Odnel Selby of Hulne Park. Sir Robert Ellerker of Hulne also left a son to the Percy household, probably as his ⁷⁶ lease of Hulne was not likely to be renewed by the crown. Straightforward kinship was a more usual source of protection for minors. Thomas Weetwood of Weetwood, favouring his Forster kinship, left his son Alexander to the governance of Hugh Forster, a younger (illegitimate) son of Adderstone. Forster was actually Thomas's wife's aunt's brother. Kinship was naturally strong between the Forsters so Thomas Forster of Adderstone senior asked his brother Sir John to look after the interests of their ⁷⁷ niece Elizabeth, daughter of Rowland Forster of Lucker.

75. C142/227/195. APC, vi, pp. 254-5. See chapter six, appendix no 28 and chapter five pp. 329-330.

76. SS, ii, p. 408, xxxviii, p. 135, cxii, p. 32. It was not just the gentry who looked for this type of patronage. Richard Strother a yeoman of Coldmartin left his heir to his 'master' Sir Thomas Gray of Chillingham and his three other sons to Ralph, Edward and Arthur Gray, brothers of Sir Thomas.

77. DPRW 1589 (1). SS, xxxviii, pp. 160-1.

Thomas Manners of Cheswick chose a combination of friends and kinsmen for his children in 1593. Of his daughters Agnes was left to his brother-in-law Henry Gray of Kyloe, Isobel to Thomas Ord of West Ord a distant kinsman, Margaret to George Morton of Murton a merchant friend and Elizabeth to Gilbert Scott of Earle a friend. Manners's son Henry was left to George Carleton of the Berwick garrison, perhaps to give him a military future.⁷⁸ Thomas Manners had no great patron to depend on so he had to rely on the goodness of kin and friends. Another method of ensuring minors' security was to leave them to their brothers and sisters who had already attained majority, or to brothers or sisters of the testator. Therefore Isabel Selby of Twizel was left to her brother William's care in 1595 and Beyll Gallon of Alnwick was given to the care of 'the old good wife of Newham', her aunt Margaret Forster of Newham.⁷⁹

The high mortality rate amongst the adult population could completely wreck plans envisaged for minors, but the gentry concerned just passed their wards onto other kinsmen. George Carr of Lesbury was left the tuition of both Robert Manners of Newton's children and Lucy Hering of Dunstan, but he had to pass them onto other Carr kinsmen. A later generation of Carrs of Lesbury had similar problems when George Middleham of Alnmouth left his daughter Anna to his father-in-law, John Carr of Lesbury in 1587. Carr died in 1588 so Anna was left to John Carr of Hetton's protection.⁸⁰

The gentry took their responsibilities as guardians very seriously. They would have known about their impending duties before the death of the testator and may have discussed it whilst the will was drawn up. Thomas

78. DPRW 1593. SS, xxxviii, pp. 218-19.

79. SS, xxxviii, pp. 256-8; cxii, p. 95n. DPRW 1595.

80. DPRW 1587(3), 1588 (1).

Holburn of Holburn valued his friendship with the Selbies of Twizel so he arranged for Sir John to look after his illegitimate son John. Thomas died in 1581, whilst Sir John Selby was at the Newcastle assizes, so his son William took command riding to Holburn's house at Buckton to sort out John's portion by making an immediate inventory of goods ^{and} seizing 'all his ⁸¹ papers and evidence'.

The role of godparents was probably less important than that of guardians, unless the two were combined. Small gifts or remembrances were commonplace in wills, thus Thomas Holburn of Holburn remembered a godson in his will, leaving him six silver spoons to a son of Thomas Forster of Adderstone junior, 'whom I kersned'. Thomas Lilburn of Middleton -by-the-Sea left an orphaned goddaughter four nobles and hoped that Henry Haggerston of Haggerston would look after her as she was called Helen Haggerston. ⁸² Nicholas Forster, son of Sir John Forster had four godparents at his baptism in 1543, Sir Reginald Carnaby (his uncle who was responsible for his education), Cuthbert Mitford of Mitford, Nicholas Forster of Newham and Florence Wharton (his aunt, the wife of Sir Thomas Forster of Adderstone). These godparents reflected the Forsters growing importance in Northumberland. The only problem with this arrangement was ⁸³ that Nicholas was illegitimate.

Illegitimate children were certainly not uncommon in sixteenth-century England. What was unusual in Northumberland was that some of them inherited property as heirs of greater gentlemen. Nicholas Forster was allowed his father's surname and was treated like a legitimate son. It was not until the 1590s that Sir John Forster, having no legal male heir,

81. E134/26 & 27 Eliz/MICH 20. SS, xxxviii, pp. 48-9.

82. ibid, p. 49. DPRW 1589 (2).

83. DDR iii 5, unfoliated (9 July 1596). His mother was Janet Buickes.

tried to legitimatize Nicholas. This is obviously why a hearing took place concerning Nicholas's baptism in the Durham Diocesan Court in 1590. Bastards were normally excluded from inheritance and had to take their mother's name. They could only be legitimated⁸⁴ if the parents subsequently married or if the crown granted it.

The Forsters were notorious for their illegitimate offspring and mistresses. Sir John Forster even fronted mortgages through his mistress⁸⁵ Isabel Sheppard, although he later married her. Sir John's nephew Thomas Forster of Adderstone junior had an illegitimate heir, Matthew, but he was probably legitimatized by his parents marriage (his father marrying a local woman from a non-gentry family). The Forsters regarded illegitimate children as though they were legitimate, yet other greater gentry families were more steadfast in ignoring bastard offspring. Peter Gray, son of Sir Thomas Gray of Horton was excluded by his father, who favoured kinship with the Grays of Chillingham more than his own family, including his six lawful daughters. The feud over Middleton Hall, which involved the bigamous marriage of Thomas Rutherford, also involved the gentry in a jury which backed the claims of the illegitimate children's uncle to their estate. Ironically Thomas Forster senior was a member of the jury deciding the case, but the most audacious case of illegitimacy concerned⁸⁶ the Reeds of Holy Island.

Sir William Reed was a thoroughly ambitious Puritan in public, yet he was more of a Don Juan in private just like Sir John Forster. In his will he left an illegitimate daughter £50 and gave her tuition to Myra Matthew.

84. J. Ferne, *op cit*, pp. 282-7. H. Swinburne, A Treatise of Testaments and Last Wills, pp. 368, 373.

85. CP25/2/192/34 & 35 Eliz/MICH. Laing Chrs, no 1194. See above pp. 149-50.

86. NRO Delaval MS/Waterford Chrs no 97.

There was nothing untoward in this bequest as bastards were sometimes left a small bequest, but Myra Matthew was the wife of Tobie Matthew, the outwardly pious bishop of Durham. Reed was illegitimate himself and despite marrying three times he managed to father a large number of bastards, including his heir William who was conceived whilst both parents were married to other partners, but they subsequently married. Amongst the lesser gentry there were similar mixtures of illegitimate heirs and forgotten bastards as Lancelot Manners of Longframlington inherited, but John Holburn of Holburn did not.⁸⁷ The kinship networks, marriages and families of the north Northumberland and North Durham gentry are therefore complex, yet the most salient feature of this gentry community was the strength of kinship through blood and marriage. Kinship permeated all levels in this community including domestic offices.

III The Administration

i. Domestic Office.

Gentry office holders during 1540-1603 were mostly from the ranks of the greater and middle gentry. The highest, though not the most onerous, domestic office was that of high sheriff of Northumberland.⁸⁸ The sheriff had no jurisdiction over Berwick, which had its own courts, so his authority stopped half way across the bridge. Twenty eight sheriffs from 1540-1603 were substantial landowners north of the Coquet, but these statistics do not reveal the battles that must have been fought to avoid

87. SS, cxlii, p. 2. CBP, ii, no 1433. See appendix.

88. His duties had declined in the sixteenth century with the rise of receivers and feodaries. His writ did not run in Norham and Islandshire, Hexham or Newcastle either, but there was no separate sheriff in these areas so justice was probably administered by J.Ps, Town Councillors, the captain of Norham Castle and the governor of the Berwick garrison. BRO B1/2 f. 55. CBP, i, no 838; ii, nos 31, 1271. CSP For, 1564-5, no 196.

the office⁸⁹ for it was an unwelcome financial burden to most incumbents. Sir George Radcliffe of Cartington managed to avoid the office from 1547-52, but was caught in 1558.⁹⁰ When Sir John Forster was appointed warden of the Middle March in 1560 he became Custos Rotulorum as well. This enabled him to give writs, as well as search warrants (normally given by the wardens to the sheriff to carry out), and it cannot be coincidental that many of his kinsmen were appointed sheriff over the next three decades, Sir Ralph Gray (1565), Thomas Forster (1572), Ralph Gray (1582) being a few examples. This probably would have made the legal system unworkable as enemies of Sir John would not have been co-operative. In 1596 Lord Eure despaired of this bias and asked that a discreet sheriff⁹¹ be appointed 'not disposed to factions or to favour theft'.

The sheriff was required to travel to London to accept office and give financial assurances to carry out his duties and particularly to account⁹² to the Exchequer for all the fines levied during his term of office. The Northumbrian sheriffs seem to have been particularly lazy about their final accounting and were full of excuses for their lapses. In 1536 he blamed the demands of Border service, but in 1548 the situation had not improved as an Act of parliament 'for the Shirieff of Northumberlande to be accomptable for his office as other Shirieffs bee' including a penalty⁹³ of £100 was passed. This Act was summarily ignored by the gentry so a commission was ordered to investigate the sheriffs in 1562, but only a year later he was still not accounting.⁹⁴ Exasperated Exchequer officials

89. L&I, ix, p. 99. J.T. Cliffe, op cit., p. 235.

90. See appendix.

91. CBP, ii, no 422. CSP Dom Add, 1580-1625, pp. 342-3.

92. L&P Hen VIII, xv, no 144 (11). Sir Cuthbert Radcliffe had sureties of 200 marks each.

93. L&P Hen VIII, x, no 1260. Stat, 2 & 3 EDW VI c. 34.

94. CSP For, 1562 no 1393; ibid 1563, no 1273.

eventually recommended that past sheriffs should be excused accounting and that lawsuits against them (for not paying) should be dropped then 'it wilbe an encouragement for them to doe better execution hereafter'.⁹⁵ This optimism was unfulfilled for the sheriffs continued to be indolent and obstructive throughout Elizabeth's reign.⁹⁶

Thomas Bradford of Bradford was sheriff during 1594-5 but he, exceptionally, remained in office for 1595-6 as well for the chosen candidate (Robert Widdrington) refused to take up office.⁹⁷ Recusancy legislation prevented many of the sons of greater gentry families from becoming sheriff in the 1590s, so the void was filled by middling gentry who were less skilled in the office than their predecessors and did not have their financial resources either, hence Widdrington's refusal in 1595. The one thing the newer sheriffs had in common with the past sheriffs was that they were also slow to account to the Exchequer, but the reason for this remains unclear. They perhaps pocketed the money as a supplement to their meagre salary, or they may have been unable to levy fines from elusive Northumbrians. Both reasons are plausible as the sheriffs sometimes rendered their accounts years after their shrievalty.

The members of the commission of the peace (J.Ps) in Northumberland and North Durham are difficult to trace in earlier years by comparison to the sheriffs, but their membership was usually drawn from the greater or middle gentry. However in the 1540s and 1590s lesser gentry like John Carr of Hetton and Thomas Carr of Newlands were included. The Liber Pacis of 1547 and 1554 includes leading gentlemen such as Sir Robert Ellerker of

95. E199/33/59.

96. WARD9/442. STAC5 A36/7, B90/2, K6/40. APC, xxvi, p. 426. HMC, Salisbury, xiv, p. 67.

97. CBP, ii, no 466. Watts, op cit., pp. 64-5.

Hulne, Sir Thomas Gray of Horton, Sir George Radcliffe, Robert Collingwood⁹⁸ of Eslington, Cuthbert Horsley of Screnwood and John Beadnell. By 1562 the composition of the commission had not really changed with the exception of risen gentry like Sir John Forster who was listed for the first time. Sir John Selby was a noticeable addition in 1588, but by this date Forster took precedence over all the other local gentlemen in the⁹⁹ listing. The list of 1594 was however remarkably different to the previous commissions as many recusants were excluded. Therefore there were no Grays, Collingwoods or Radcliffes and appearing for the first time are Protestant gentry, such as William Selby of Shoreswood and George Muschamp of Barmoor who joined forces with the Puritan Sir William Reed. There were also many men from outside Northumberland in this commission to make up for the lack of suitable Protestants in the county, William Selby of Twizel being the only 'new' man in the commission from north of the Coquet in 1600. Nevertheless a few church papists avoided recognition as such and still appeared regularly in the lists. Robert Clavering of Callaly was suspected but remained a J.P. until he died in 1600, whilst Thomas Bradford of Bradford and Edward Gray of Howick remained in the¹⁰⁰ commission after being sheriffs into the early seventeenth century.

Justices of the Peace had to hold land worth £20 a year and were paid four shillings a day, which was a manifestly inadequate salary by 1600 as prices had risen so sharply. The duties expected of a J.P. had increased considerably as well, so although he was regarded as a leading figure in the county's administration he had to work hard in office. They also

98. CPR, 1547-8, p. 87; 1553-4, p. 22.

99. C66/1421 m. 11 d. C66/1468 m. 26d. E163/14/8. CPR, 1560-3, p. 441. Forster maintained his precedence until he lost power in 1595.

100. C66/1421 m. 2 d. C66/1523 m. 22 d. SP13/F/11. APC, xxiii, p. 259. See chapter five pp. 335.

received additional work by way of special commissions from the Exchequer or London courts, such as the King's Bench or Common Pleas.¹⁰¹ Their principal gathering was at quarter sessions held at various locations such as Morpeth in April 1557.¹⁰² One example of their increasing duties was the licensing of Inns and Taverns for in Berwick there were seventy four, the East March had 137 and the Middle March 123.¹⁰³ Even the most efficient justices would have felt overworked checking every hostelry, but there were complaints about their negligence, just like the complaints against the sheriffs. They were accused of not attending quarter sessions or carrying out inspections and their bail was cynically reported to be 'as good as the Quenes pardon'. Sir John Carey, marshall of Berwick and William Selby, senior (of Shoreswood) both complained about local J.Ps in 1602, despite being J.Ps themselves. According to their exaggerated reports none of the justices were fit for service, themselves excluded of course; Sir William Reed of Holy Island being old and blind (though he had been an active J.P. only months before), Thomas Bradford of Bradford in a dead palsy (yet he lived until 1612) and George Muschamp of Barmoor not daring to be seen in public because of a feud (which Selby opposed him in).¹⁰⁴ In truth, it was only Muschamp who could not serve in 1602 and when William Selby needed a J.P. he hypocritically refused to call on Sir John Carey's help because they were rivals in the Berwick garrison. The local J.Ps were sometimes too involved in faction to carry out their duties, but they did serve in both north Northumberland and North Durham and must have been reasonably efficient as the surviving

101. Mingay, op cit., p. 75. J.H. Gleason, The Justice of the Peace in England, 1558-1640, pp. 3, 48, 58, 67-72, 99, 225.

102. LAMB MS 3195, f. 5.

103. CBP, i, no 21. Stat, 7 Edw VI, c. 5 iii.

104. C66/1594 m. 27 d. CBP, ii, nos 746, 881.

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vetera indictamenta (dating from 1595) records indictments of criminals.

North Northumberland and North Durham did not have a lord lieutenant or deputy lieutenants, because the burden of Border service excluded the area from taxation (known as the subsidy) and thus made a deputy lieutenant unnecessary, at least until the Union of the Crowns in 1603. The area still had administrative wards, but these were mostly for musters and crown rent collections rather than taxation. The Northumberland wards were Bamburghshire, Castle, Coquetdale, Glendale, Morpeth and Tynedale. Norham and Islandshire were a separate unit, constituting North Durham. 106

The assizes, like J.P. quarter sessions, involved important judicial congregations of local gentlemen before the circuit judges of the north. In Northumberland they were frequently held in Newcastle before the various assize commissioners such as of oyer and terminer, gaol delivery and the J.Ps, all of whom had to attend the assizes. Sir John Forster was a commissioner for oyer and terminer in 1565 and in 1596 these commissioners were Sir William Reed, Robert Clavering and William Selby senior. 107 Assize week, by its length alone, assured a large social gathering of gentlemen, some of whom had houses in Newcastle or stayed with kinsmen. This was similar to assize weeks in other counties, such as 108 Yorkshire where the gentry congregated in York.

The offices of escheator and feodary of Northumberland were held by

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105. STAC5 S81/2. NRO QS1/1. CBP, ii, nos 1434, 1470. CSP Dom, 1601-03, p. 213. CSP For, 1572-4, no 603. Watts, op cit., pp. 130-1. Criminal records are more plentiful in the seventeenth century. See C.M.F. Ferguson, 'Law and Order on the Anglo-Scottish Border, 1603-1707', St Andrews Ph.D, 1981.
106. Watts, op cit., p. 289. P. Williams, op cit., pp. 126-7.
107. CPR, 1563-6, p. 254. CBP, ii, no 271.
108. Cliffe, op cit., p. 20. Sir John Forster had a house in Newcastle and Sir Cuthbert Collingwood probably stayed with merchant kinsmen.

local gentlemen. An escheator informed the crown of lands forfeited by felony, or through a lack of heirs and was present at all Inquisitions Post Mortem, but his powers were dwindling in the sixteenth century. The county feodary was also a crown officer, but he worked solely for the Court of Wards, established in 1540. His power was increasing at the escheator's expense and he received the rents and fines of lands subject to wardship.¹⁰⁹

As with other financial payments to the crown the guardians of minors were often slow to settle their dues with the feodary, or perhaps the feodary withheld the rentals for his own benefit. John Beadnell of Lemmington was feodary 1559-60. To gain a financial office probably required influence in high places normally reserved for greater or middle gentry, but lesser gentry were not excluded from administration.

Inquisitions Post Mortem gave lesser gentlemen a rare opportunity to be called to serve on a jury to assess the estate of a deceased gentleman and they often succeeded in misleading the feodary as to the real value of the estate. This duty was unsalaried, but it was a way of showing mutual support for other gentry against the loathsome system of wardship. Being listed as a juror was sometimes the only duty ever carried out by lesser gentlemen, who were confined to their community by financial restraints, but it was their obvious local knowledge that was valued most when an estate had to be valued. The Court of Wards once made a mistake by ordering an Inquisition concerning Thomas Ilderton of Ilderton from gentry who lived south of the Coquet, but realising their geographical mistake¹¹⁰ they re-commissioned it from more local gentlemen.

The commissioners for an Inquisition Post Mortem were normally

109. See appendix. Robert Roddam of Roddam was the escheator in 1588-9. Roddam was also county coroner in 1582, a post that involved maintaining crown property in the shire.

110. CPR, 1575-8, pp. 448, 450; 1578-80 nos 1074, 1096.

directed to hold the inquiry by special commission of the Exchequer, which acted upon information from the Court of Wards. The commissioners would have included the feodary and they would require the sheriff to convene a local jury to hear depositions from witnesses about the deceased's lands. The Escheator presided over the proceedings, but it was the commissioners who reported back to the Exchequer and the feodary to the Court of Wards. Commissioners were typically chosen from the greater or middle gentry, not just for Inquisitions Post Mortem, but for all sorts of special commissions into many local matters including crown lands, tithes, fishing rights, surveys of lands and castles near the Border, enclosures, fords, harbours and piracy. Latterly there were commissions to examine recusants¹¹¹ and report on the decline of Border service.

The musters of Northumberland were also commissioned. These commissioners were called commissioners of array and they worked closely with local gentry and the wardens of the Marches. The defence of the English Borders was based on a tenure system whereby a tenant was given land in return for a pledge to arm himself for the defence of the Border. His arms would have included a steel helmet, a breast plate of armour and a long bow with the addition of a horse if he was a larger tenant. The gentry were responsible for their tenants' appearance. Musters were held regularly by administrative ward. They seem to have been a social¹¹² gathering for all concerned for in 1558

it is said on the muster day there is never a plough going
in Norhamshire nor Bamburghshire that day; it is their
principal feast.

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111. See appendix for individual commissioners. Typical commissions are found in E134 (Exchequer K.R. Depositions) and E178 (Exchequer K.R. special commissions). APC, vi, p. 284. See chapter five p. 335. Bell, *op cit.*, pp. 40-2.
112. CSP For, 1558-9, no 139, 365.

In 1583 the gentry refused to appear because plague was rampaging through the county, but turnouts had generally deteriorated by this time. Sir John Forster falsified muster returns in the 1590s to try and cover up the serious decline in Border defence caused by the large numbers of Scots living in the area, Scottish raiding, poor harvests, enclosing and engrossing, which had greatly impoverished the English tenants.¹¹³

There were other local crown offices available to the gentry such as receivers, stewards (seneschals), bailiffs, foresters, agisters, keepers of parks and constables of castles. For instance the duchy of Lancaster lands at Dunstanburgh and Embleton gave employment to Sir Thomas Gray of Horton as receiver and at Bamburgh Castle John Horsley of Outchester and Sir John Forster were captain (constable) and seneschal. Henry Haggerston was receiver for the lands of the former Alnwick Abbey 1577-95 and receiver of Glendale 1587-95, until his recusancy barred him from office. Henry Collingwood of Etal was a hereditary constable of Etal Castle and he took over the receivership of Glendale in 1600. At the same time Nicholas Forster of Alnwick Abbey was receiver of Norham and Islandshire. On a lesser scale Robert Collingwood of Bewick was bailiff of Bewick.¹¹⁴

There were more offices outwith crown appointments available to the gentry. The largest source of these alternative offices were the Percy estates, especially the barony of Alnwick, but the Grays also appointed bailiffs to their lands in the barony of Wark-on-Tweed. The highest Percy office holder was the constable of Alnwick Castle. This post was normally held by a strong Percy ally, except during the 'interregnum' of crown

113. CBP, i, nos 47, 50, 181, 253, 259; ii, nos 211, 271. SP59/31ff. 35-7. CSPDom, 1595-7, pp. 143-4. See chapter three pp. 224-31 and chapter seven, pp. 439-43.

114. DL29/360/5956. SC6 Eliz I 1693 & 1698. SC6 Hen VIII 7357. APC, v, p. 313. CPR, 1572-5, p. 316.

control during 1537-57. Sir Cuthbert Radcliffe held office 1540-5 and Sir Cuthbert Collingwood in 1569 and 1580-5. Less important, but still salaried were George Harbottle of Cawledge as agister of Cawledge Park and Odnel Selby of Hulne, a keeper of Hulne Park. Tristram Fenwick was the steward and forester of Rothbury.¹¹⁵ Lastly there were numerous manor courts locally that sometimes had gentlemen present, but mostly concerned tenants below the rank of gentlemen.¹¹⁶ The barony at Alnwick was more of a gentry preserve, but it had fallen into abeyance during the Percies' prolonged absence. However it was revived by Thomas Percy, a distant relative of the ninth earl, when he became constable of Alnwick Castle in 1586. Thomas Percy was trying to bolster the long-lost Percy influence in the area by summoning the local gentry to the court, though in reality all he bolstered was gentry opposition to himself as he was corrupt and greedy. It was significant that only one Forster (Cuthbert of Brunton)¹¹⁷ and none of the Grays attended this farce of a barony court.

Berwick was one source of borough patronage for the gentry where the guild included at least four burgess gentleman, who were also accepted in the community outside Berwick; Odnel Selby of Tweedmouth and John Ord of Longridge were both mayors of Berwick and William Selby was elected a burgess of Berwick to represent the borough in Parliament. Thomas Heron¹¹⁸ of Crawley was both a merchant of Newcastle and a local gentleman.

The local gentry therefore had plenty of opportunity to gain offices whether they were crown appointments or more localized and if they were

115. L&P Hen VIII, xx, pt 1, no 1042. G.R. Batho, op cit., pp. 56-7.

116. NRO ZCR2 (Bamburgh manor court). ALN MSS CIV/10/1 (Lesbury).

117. Thomas Percy was a great grandson of the fourth earl. SYON MS AII/8f. 5. ALN MS DI/1. Batho, op cit, pp. 57-9. L.Stone, op cit., p. 296.

118. BR0 B1/1 f. 13, B1/3 f. 81, B1/5 f. 27, B1/6 f. 66. NCH, xiv, p. 412. SS, xxxviii, pp. 55-6.

middle or greater gentry their chances were much better than the lesser gentry. There was a change of direction in crown appointments in the 1590s when recusancy evicted many established gentlemen from office, but a few clever church papists avoided recognition. However there was no great divide between Catholic and Protestant gentry in this community, because of the interconnections of kinship, and they were not out of office for long. There was a limited return of Catholics to office in the early seventeenth century owing to the failure of unskilled middle gentlemen in office and the ignorance of outsider office holders drafted in to fill the void left by recusants.¹¹⁹ Outsiders like the Carey brothers Robert and John never surmounted local gentry opposition or the inherent local strength of men like Ralph Gray of Chillingham.

There was one more position that was not specifically local nor connected to Border administration but should be noted, namely the parliamentary representatives. Two members were each sent from the shire of Northumberland, and towns of Morpeth, Berwick and Newcastle. There were only a few representatives from north of the Coquet; John Beadnell of Lemmington (1547), Sir Thomas Gray of Horton (1553), Sir Thomas Gray of Chillingham (1586) and William Selby junior (1601). The Selbies were well represented at Berwick with Odnel Selby of Tweedmouth (1554) and William Selby senior (1586, 1588, 1593, 1597, 1601), which reflected their strength in the town.¹²⁰ This office allowed the gentry an expenses-paid trip to London, but there were only a few statutes concerning the area and they were not instigated by local members for they were criticisms of Northumberland's sheriffs or poor defences. This office gave little local

119. S.J. Watts, op cit., pp. 64-5, 130, 133-58.

120. C193/32. The members are listed by C.H. Hunter Blair in AA, 4th ser, xii, xiv, xxiii, xxiv.

power, because it was more of a sinecure than a purposeful office.¹²¹

Overall control of north Northumberland and North Durham is difficult to determine as Westminster did not directly govern the area. The Borders were in fact governed by a mixture of parliament, Star Chamber, the Council of the North, the privy council, the town guild of Berwick (which was inseparable from the garrison at this time) and the J.Ps. Parliament merely passed a few statutes and the privy council governed Border administration, so this left domestic administration to the Council of the North and the J.Ps. The Council of the North did not have a great impact in the area and was therefore a rather ineffective voice of local government. Only Sir Thomas Gray of Horton and Sir John Forster were members, although Sir Cuthbert Collingwood and Thomas Forster were recommended for membership. The Council was, however, a convenient source of justice for the local gentry, as it was nearer to the community¹²² than the London Courts and legal fees were charged at a fixed rate. It is even questionable how much influence the Council had in Yorkshire, its home base and it was always subordinate to the Court of Star Chamber. The Lord president of the Council could summon the local gentry to meet him in Newcastle, as the earl of Huntingdon did in 1586, 1593, and 1596, but this was in connection with special investigations into Border decay, recusancy and the activities of Sir John Forster and was not a prerogative of the

121. Martin Garnett, a burgess of Berwick, charged the guild £23 for his parliamentary expenses, but was more concerned about £3-15 owed to him for having a town bell cast at London. BR0 B1/3 ff. 36-7.
122. Other areas were not directly controlled either, - the Welsh Marches, Ireland, Yorkshire and Lancashire. S. Ellis, 'Crown, Community and Government in the English Territories, 1450-1575', *History*, lxxi (1986), pp. 187-206. SP15/21/86 (I). HMC, Talbot, p. 44. F.W. Brooks, *The Council of the North*, pp. 17-18. R.R. Reid, *The King's Council of the North*, p. 494. The Welsh Borders also had Marches, P. Williams, *The Council in the Marches of Wales*.

Council. The Council had no power in the Marches, but it did appear to have some power over Berwick in matters of domestic justice. Lord Willoughby unsuccessfully challenged this jurisdiction in 1600, when he arrested a man for a domestic crime and then had to release him, but just as the Council could not interfere in the international Border law, Willoughby as warden of the East March, had no power to meddle in domestic law (though he did have jurisdiction over Holy Island's captain).¹²³

Who really governed north Northumberland and North Durham? The answer perhaps lies with the gentry themselves, as they were closest to the community living permanently in the area, holding offices, fighting local political battles and dallying with courtier politics (though they held no court offices themselves). It was the justices who coped with the everyday administration of the area and whoever held office was in a commanding position if he had court patronage and the backing of a good kinship network. However the area had another source of government with sought after offices for the local gentry that was unique to the Borders. This was the administration of Border law which gave some local gentlemen extra power in the community and advanced the career of Sir John Forster to a level of authority previously thought unobtainable by a local man.

ii Border Office

The administration of the Anglo-Scottish frontier was based on a complex system of international law. Border officers had no jurisdiction over domestic incidents, which were dealt with by the sheriff and justices of Northumberland. However a warden of a March had the power to summon

123. BRO B1/2 f. 55 B1/3 f. 72.CBP, i, no 267; ii, nos 1269, 1429. CSPDom Add, 1580-1625, pp. 213, 353. HMC, Salisbury, iii, p. 74. Brooks, op cit, p. 7. Reid, op cit., p. 349. Watts, op cit, p. 130.

these domestic law enforcers and the local gentry to assist him in Border duties such as a day of truce between Wardens of both nations or on a 'hot trod' (recovery expedition) against Scots raiders. Wardens were answerable to the privy council, rather than the Council of the North.¹²⁴

Henry VIII established a Council of the Marches in 1537, partly in response to the rising of 1536, but it was short-lived and control of the Marches returned to the wardens and the privy council.¹²⁵ The wardens of the Marches were not usually chosen from the ranks of local gentlemen before 1540. The gentlemen pensioners appointed in 1537 had been an exception to this rule, but their contribution to Border defence was erratic varying from savage attacks on Teviotdale to virtual sinecurism,¹²⁶ so they were abolished in 1547.

A warden normally appointed two deputies. Sir Cuthbert Radcliffe of Cartington was the first local gentleman to be appointed as a deputy warden in Henry VIII's reign. He was in the Middle March from 1540-3 and Sir Ralph Gray of Chillingham was deputy in the East March from 1552-7, 1559-60. Radcliffe was thought to be inadequate, but Gray was of 'good courage and much esteemed'.¹²⁷ The appointment of local gentry as deputies continued with Rowland Forster of Lucker (East March 1566), Sir John Selby of Twizel (East March 1568-95), Sir Cuthbert Collingwood of Eslington (Middle March 1595-6), Ralph Carr, younger of Ford 'a very sufficient deputy' (Middle March 1597), Edward Gray of Howick (Middle March 1596-8) and Robert Clavering of Callaly (Middle March 1597). Only one local gentleman was ever appointed to the top position of warden.

124. CSPDom Add, 1547-65, p. 456. Stat, 43 Eliz c. 13 (v).

125. L&P Hen VIII, xii, pt 2, no 422.

126. See pp. 5-6 above. L&P Hen VIII, xvii, no 1084; xviii, pt 1, no 1543. The Elizabethan pensioners were practical garrison men.

127. ibid, xvi, no 100. CSPDom Add, 1547-65, p. 417.

Forster was first recommended for the wardenship of the Middle March in 1559, after a brief time as deputy warden there in 1557-8. The difficulties endemic to Border administration had led to advice that a warden should be 'one as is naturallie planted in the countrie',¹²⁸ so Forster was an ideal choice. He remained in this post until 1595, with a short interlude in 1587-8.¹²⁹ Warden appointments in the reigns of Henry VIII, Edward VI and Mary were for relatively short durations so this wardenship of thirty-five years was lengthy, yet not remarkable in comparison to Elizabeth I's other appointments of wardens of the Marches. Lord Hunsdon was warden of the East March,¹⁵⁶⁸⁻⁹⁶, and Henry, Lord Scrope was warden of the West March,¹⁵⁶³⁻⁹².¹³⁰ Forster's unrivalled local patronage and kinship network made him an effective Border officer, that is until corruption overtook his administration and led to his being ousted from office in 1595. By contemporary standards he was a very old man in 1595, but he was not ninety four as Sir Robert Carey (youngest son of Lord Hunsdon) suggested. Forster would have been around eighty years of age, having been born circa 1515.¹³¹

Local gentry could be employed in other Border offices, such as the Border commissions and the Berwick garrison. Border commissioners were

128. SP59/1 f. 50. A warden's duties are specified in Sadler Papers, ii, p. 12.

129. CBP, i, nos 534, 596, 627.

130. D.L.W. Tough, The Last Years of a Frontier, pp. 279-81. It is arguable that Forster was not expected to live as long as he did for his office of captain of Bamburgh was granted to Sir George Carey, (eldest son of Lord Hunsdon), in 1574 to take effect on Forster's decease. Carey had the good sense to abandon the grant in 1582 as the indomitable Forster lived on until 1602 (and George died in 1603) and Elizabeth was content to let Forster remain as warden, while he was effective in the post. CPR, 1572-5, p. 310; 1580-2, no 1505.

131. CBP, ii, nos 111, 129. Forster's mother would have been a miracle worker to have given birth over a forty year period! See Forster and Gray of Horton genealogies.

chosen by the sovereigns of both realms to prove (foul or 'file') or refute Border bills (individually listed wrongs) and agree compensation. There were normally several privy councillors in the commission, as well as a bishop, but local knowledge was paramount to their enquiries. Therefore in 1581 Sir John Forster, Sir John Selby and Sir Thomas Gray of Chillingham joined the commissioners and in 1599 Nicholas Forster of Bamburgh and Thomas Bradford of Bradford were present.¹³² Whenever the commissioners met many local gentlemen attended upon them, probably in hope of their own bills being heard or to give evidence before the commission. For instance at Berwick in 1585 the gentry stayed for a week, probably socializing as well, but commissions were not regular occurrences as they could only take place when Anglo-Scottish relations were favourable. The gentry's local knowledge was also useful to English embassies to Scotland. The following gentlemen accompanied ambassadors, Sir John Forster (1571), Sir John Selby (1595), Ralph Gray of Chillingham and William Selby senior (1598).¹³³

The garrison in Berwick offered a variety of more permanent offices than Border commissions and embassies. Captaincies of garrison companies and posts like gentleman porter or treasurer were available to local gentry and their sons. In 1554 Sir Thomas Gray, Ralph Swinhoe of Cornhill, John Selby of Braxton and Henry Haggerston of Haggerston all held positions in the garrison. Sir John Selby first made his mark as a captain in 1558 and proceeded to become gentleman porter during a lifetime career in the garrison.¹³⁴ The gentleman porter was thought to be the

132. CBP, i, no 83; ii, no 1042. CSP Scot, viii, no 490.

133. *ibid*, xii, no 890. CBP, i, no 368.

134. APC, v, p. 96. CSP For, 1558-9 no 450. The careers of younger sons of the gentry are discussed in chapter four, section two.

equivalent of a sergeant major. It was a prestigious post with no great work attached as yeoman porters carried out the actual work of operating the gates of Berwick. The town was very much a 'garrison' borough run along military lines with the governor of the garrison having overall control, rather than the town council. The Selbies were predominant in the town because they made the post of gentleman porter seem hereditary and chose to live in the town rather than at their estates nearby, which is apparent from their baptismal records.¹³⁵ John Selby held the post from 1551-65, his son Sir John 1573-95, and grandson William junior from 1598-1603 (who was really an assistant to his uncle William senior, porter¹³⁶ 1595-1603). Ralph and John Selby, younger sons of Sir John Selby, were a constable and great gunner respectively in the garrison, continuing the Selby tradition and by the 1598 muster of the garrison, John Selby had become a captain with fifty-two men in his company. Sir William Reed of Holy Island had 108 men in his company and was also captain of Holy and Farne Islands (a post only subservient to the governor of Berwick). Other gentlemen in this muster included Clement Armorer, younger son of Roger Armorer of Belford, Ralph Carr, younger son of Ford and James Swinhoe of Berrington 'an honest and sufficient gentleman'. William Selby senior had been a captain and a gentleman pensioner, but had resigned to become¹³⁷ comptroller of the office of ordnance in the north parts in 1596.

The Selbies' predominance in Berwick was resented by Ralph Gray of Chillingham who was unsuccessful in an attempt to become treasurer in 1596 and as they were feuding at this time, their anger was very public.

135. NRO 647 EP38/1.

136. BRO B6/11 f. 2. APC, vi, p. 249; xxx, p. 241. L&P Hen VIII, xviii, pt 2, nos 214, 237, 277. CBP, ii, nos 165-7.

137. SP59/37ff. 107-25. NRO 1DE/I/117. BRO B6/1 ff. 148-9. CBP i, no 545; ii, no 470. APC, xxvi, pp. 184-5. CSP Scot, vii, nos 313, 363. SS, xxxviii, p. 256n.

(The Selbies) are so allyed with most of the townesmen of Barwick by maryage and other allyance and of such authority and office within the same that it is impossible to have any indifferent tryall there.

William Selby senior, describing his part in their feud, pompously
 138
 retorted that

I thought that my place in this towne beinge Gentleman Porter and a Counsellor and my age had privyldged me from receaving violence of any man....

John Carey (second son of Lord Hunsdon) also resented the Selbies' power in Berwick when he was marshal there from 1598-1603, but his attempts to discredit them made him many enemies. This was a dangerous situation for Carey as the Selbies had vastly superior local power to him. For instance Captain John Selby's company had within it local Selbies, Swinhoes and Forsters.

Originally native Northumbrians were banned from holding positions in the garrison below officer status, but they had crept in no doubt tempted by payment for Border service (which normally should have been given at their own expense as part of Border tenure). Attempts to expel these men were fruitless and by the time of the 1598 muster the garrison depended on the local men and others from the northern counties to keep up
 139
 their number of 900. Traditional Border defence had been declining since the 1530s, but by the 1590s it was in ruins and was further undermined with so many local men in the garrison. Instead of assisting the garrison the local people were in fact dependent on the garrison for defence against the Scots. Small parties were sent out from Berwick to

138. SP59/33 ff. 78-81. CBP, ii, nos 370. See chapter six appendix no 35.

139. CBP, ii, nos 1035, 1138. CSP For, 1560-1, no 466. L&P Hen VIII x, no 1260. Horsemen had always come from Northumberland, because of their renowned skills and men from other northern counties could join if they had served in Ireland or France.

the East and Middle Marches, yet the gentry were still supposed to defend their lands as Ralph Gray of Chillingham and William Carr of Ford were criticised by Lord Hunsdon for not assisting in defence of the East
140
March.

The decline in Border defence can be directly linked to the 1530s' pensioning of the local gentry. The gentry had willingly participated in Border defence, when paid for it, and many made their mark in the wake of the Percy interregnum, such as Robert Collingwood of Eslington, John Carr of Hetton, Sir John Forster, John Horsley of Screnwood and Gilbert Swinhoe of Cornhill. Indeed their service was so valued by Henry VIII that he excused all the Northumberland gentry from the Benevolence (taxation levied by the crown outwith parliament and not connected with the subsidy that the gentry were already exempted from) and gave personal gifts to Robert Collingwood, John Carr and Gerard Selby of Pawston of leases of
141
former monastic lands. The problem was that any posts given to the gentry were salaried, for example John Carr was captain of Wark. The crown probably only intended to give these pensions and salaries for the duration of the 1540s wars known as the 'rough wooing' and as a means of short-term patronage to lure the gentry away from the Percies, but the gentry thenceforth expected to be paid for Border service. By 1552 the gentry had to be ordered to obey the wardens, a duty they should have
142
performed without a reminder. Border service was not helped by corrupt gentry officers either. Rowland Forster of Luckier, captain of Wark

140. CBP, i, nos 499, 571; ii, no 1280. M.L. Bush, op cit.

141. L&P Hen VIII, xvii, nos 808, 1180; xix, pt 1, nos 278(39), 342; xx, pt 1, nos 162, 339, & pt 2 no 4; xxi, pt 1, no 970(47). HMC, Talbot, p. 12. CSP Scot, i, no 258. SC6 Edw VI 356. E318/7/246.

142. APC, iii, p. 473.

(1556-62, 1565-70), did not control the troops under his command as they forged coins as a profitable pastime, whilst Forster sheltered outlaws, sold grain to the Scots, was absent without leave (a common problem) supported thieves and generally caused trouble. Rowland was warded for these misdemeanours but owing to the influence of his elder (and not yet so corrupt) brother Sir John Forster he was reinstated.¹⁴³ Rowland's adventurous career was stopped when he died of plague in 1570, but his terms of office cannot have helped Border defence.

The bad state of Border defence made some of the gentry move away from their houses near the frontier to slightly safer areas or to London, but this only made the defence problems more acute. There were many complaints about this predicament from the 1560s until 1603.¹⁴⁴ Sir Thomas Gray of Horton went to live permanently in London with licence to leave the Middle March probably granted by his stepson Sir John Forster, the warden. The problems of Border defence increased as the sixteenth century proceeded and the back up of the Berwick garrison failed to compensate. Typical Elizabethan stinginess meant that the soldiers' salaries were continually in arrears and this led to low morale in the garrison, so when the swashbuckling Lord Willoughby first came to Berwick in 1598 he could only describe the muster as a 'Bare view'.¹⁴⁵

Raiding by Scottish thieves intensified to a previously unknown level in the 1580s and 1590s and local political frictions meant that the

143. CSP For 1562, nos 250, 275, 289, 299; 1564-5, no 984; 1566-8, no 1362; 1569-71, no 1230. CSPDom Add, 1547-65, pp. 463, 454; *ibid* 1566-79, p. 182. HMC, Rutland i, pp. 80-1. SP59/6 ff. 87-8.

144. HMC, Salisbury, i, p. 397. CSP For, 1560-1, no 761. See chapter three pp. 227-31 and seven pp. 439-43 for further discussion of the economic causes of Border decay.

145. CBP, ii, no 936. There are copious mentions of salary difficulties at Berwick in CBP, ii.

gentry in office were overworked and sometimes suffered personal violence. Their offices were no longer prestigious and some asked to be released from them. Edward Gray of Howick, whilst deputy warden in the Middle March, in 1597 was attacked by opposing gentry for lawfully arresting some of their allies. He asked to be allowed to resign, making his excuse the fact that he was to be sheriff of Northumberland that year and could not justifiably be faithful to both offices, but he probably just wanted a rest from Border office.¹⁴⁶ Even domestic office holders were subject to attack. When Robert Clavering of Callaly 'one of the sufficientest men on the whole border' was called upon as a J.P. to help the warden of the Middle March he was 'left for dead' by some Scots.¹⁴⁷ Clavering survived the incident, but would probably have been less inclined to help the warden in future.

Border administration was infiltrated by the local gentry after 1540, but the steady decline in Border service was paralleled in the diminishing prestige of Border office. Therefore the gentry were not so willing to serve in the 1590s as they had been in the 1540s. The mistakes made by the crown in the 1530s and 1540s were never rectified, so the gentry became lazy about Border defence (which conflicted with the crown's interests in the Borders) and corruption spread as they expected payment for Border service. Rivalry between gentry factions was an additional hindrance to the substandard system of defence, but their complexities need thorough investigation.

IV. The Political Scene.

The political alliances of the north Northumberland and North Durham

146. CBP, ii, no 894. HMC, Salisbury, viii, pp. 73-4.

147. CBP, ii, nos 351, 366, 860.

gentry were rarely consistent in the second half of the sixteenth century. With no resident magnate in the area, Courtiers vied with each other to build up a clientage amongst the local gentry. Therefore a small, seemingly local, feud between local gentlemen could prove to have far-reaching and undisclosed political undertones as various court rivals battled for supremacy in the locality. For their part the gentry welcomed patronage from courtiers to bolster their local standing and in return they could send their patrons spy reports about Scotland or concerning their rivals. Courtier rivalries varied with every decade so attempts to decipher individual gentlemen's allegiances is extremely complicated. Courtier politics were not, however, the only cause of political tensions in the area as religious differences, bonds of kinship, personal jealousies and the recurrent theme of whether any gentry still adhered to the Percies were all important political factors.

The complexities of the politics of the region cannot be underestimated. S.J. Watt devotes an entire chapter of his book on Northumberland to the wheeling and dealing behind Border appointments from 1595-1603, a mere eight year period.¹⁴⁸ Thus when researching politics from 1540-1603 the difficulties multiply considerably. Beginning with the 1540s the crown gained ground against the Percies, owing to the work of both Wolsey and Cromwell in the 1520s and 1530s. They had cultivated direct crown patronage in the locality. The basic opposition of this decade consisted of crown allies against Percy adherents. These rivalries persisted into the 1550s when they were manifest in the Heron and Carr of Ford feud, but opposition to the Percies continued throughout the century. The Carrs of Ford were allied to the Carrs of Hetton,

148. S.J. Watts, *op cit.*, pp. 113-131.

Collingwoods of Eslington, Etal and Kimmerston (who leased land from the Carrs of Ford) and Horsleys of Screnwood, who in turn were all allied to the Percies. Overwhelming gentry opposition to the Carrs of Ford made their alliance to the Percy camp a necessity, rather than an option,¹⁴⁹ as they were not Percy tenants. The newly restored Percy earl was glad to have their support in such^a hostile gentry environment. The group opposing the Carrs of Ford consisted of many powerful gentry families, formerly lured away from the Percies by the crown, who were also allied to and kinsmen of the Herons. They included the Grays of Horton and Chillingham and the Forsters of Adderstone.¹⁵⁰ The gentry in opposing the Carrs put loyalty to friends and kinsmen before the merits of the case, for the Herons were blatant aggressors with no legal right or title to the lucrative estates of Ford. The Herons were in financial difficulties and they went to the extraordinary length of forging documents to pursue their case, but they lost in the end. There was so much local turmoil that the privy council intervened and the Inquisition Post Mortem of Elizabeth Carr, heiress of Ford and wife of Thomas Carr had to be ordered on three separate occasions.¹⁵¹ Ill feeling about the feud continued for several decades and the Carrs of Ford always felt vulnerable with only a minority of the local gentry supporting them. This feud was the most intense battle amongst the Northumbrian gentry in the sixteenth century, but its significance lies in the mobilization of the gentry into rival groups

149. See chapter six pp. 381-86. Most of the Northumberland Carrs were Percy allies and the Carrs of Hetton and Ford were still Percy supporters in 1586. ALN MS AI/1/m f.22. SYON MS AII/8 f. 5 MII/11/9. CPR, 158-60, p. 245.

150. LAMB MS 3195 f. 8. CSP For, 1558-9, no 168.

151. CP25/2/192/ 5 Eliz/HIL. C78/54 no 4. C142/131/159. CPR, 1557-8, pp. 112, 250, 365-6; 1558-60, p. 270.

against other gentry and highlights the instability that would persist in the region in the absence of a resident magnate. The gentry were more interested in fighting each other than the Scots. However, their rivalries were never consistent from each generation to the next, as the Grays of Chillingham, for instance, fought the Carrs of Ford and their kin¹⁵² in the 1550s, but were friends by the 1580s.

The 1550s also marked the beginning of courtier interference in the locality, but this intrusion started slowly. Lord Conyers, warden of the East March (1553) tried to gain the local alliance of the Grays of Horton and Chillingham and the Selbies of Twizel against his rival Lord Wharton¹⁵³ (a kinsman of the Forsters). The seventh earl of Northumberland, on a rare occasion, praised Sir John Forster for a raid into Scotland in 1558, but in reality he was trying to oust Forster in support of his own men in office like Thomas Carr of Ford the marshal of Berwick (1555-8).¹⁵⁴ However the earl's enemies were quick to follow him into local politics, as Sir Ralph Sadler hinted that the earl should be dismissed from the wardenship of the East and Middle Marches. Sadler also recommended that Sir John Forster should be appointed to the Middle March, whilst another¹⁵⁵ enemy of Northumberland's, Lord Grey of Wilton was given the East March. Apart from trouncing the earl this courtier politicking gave Forster a huge lift and greatly increased his local power and influence. Forster never missed a chance to denigrate Percy tenants and built up a successful local patronage network that was envied by his rivals. Nevertheless

152. SP59/20/80. DPRW 1588 (1) John Carr of Lesbury.

153. LAMB MS 3194 ff. 27, 111, 113, 241. Sir Ralph Gray of Chillingham called the duke of Norfolk 'my master' in 1564. C142/141/31.

154. SP15/8/66. HMC, Talbot, p. 78. APC, v, p. 206 (Carye=Carr).

155. CPR, 1558-60, pp. 348, 411-12. CSP For, 1559-60, no 187; 1562, no 55. Sadler Papers, i, pp. 471-3, 615-17.

Forster's rise inevitably led him into corrupt practices. His local strength prevented him from losing office, but later courtiers would argue about whether Forster was corrupt or not.¹⁵⁶

The early 1560s were Forster's most law-abiding years as Middle March warden. He even managed to subvert his personal hatred of Percy allies to praise John Carr of Hetton and the Collingwoods of Etal for their Border service. Forster therefore must have been sincere about Border defence, his principal duty as a warden. He also received better justice from the Scots than his counterpart in the East March, the second earl of Bedford,¹⁵⁷ showing perhaps that local power was useful in Anglo-Scottish Border negotiations. Forster respected Bedford and accepted his friendship and patronage, but this was mutually convenient as Bedford needed local support. Forster's daughter Juliana married Sir Francis Russell, third son of the earl of Bedford in 1571. Russell remained in the Borders under Sir John's guidance but was tragically killed at a day of truce in 1585.¹⁵⁸ It was probably through his friendship with Bedford that Forster became a Puritan.¹⁵⁹

The arrival of Henry, Lord Hunsdon (cousin of the Queen) as warden of the East March in 1568, brought another courtier into direct contact with the local gentry. London-based courtiers still contacted the local gentry for Sir Thomas Gray of Horton left his best gown and coat to Mr Secretary (Sir William Cecil) and his chosen heir Ralph Gray was drawn into the

156. e.g. Forster turned a blind eye to smugglers activities beneath the castle at Bamburgh, where he was captain. *CSP For*, 1575-7, no 438.
157. *CSP Scot*, ii, no 97. *CSPDom Add*, 1547-65, pp. 562-3.
158. See chapter one pp. 111-113. Forster cared for his young grandson who shortly afterwards became the third earl of Bedford. He asked the queen to be 'a mother unto him' and gave him an Alnwick lease. *CSPDom Add*, 1580-1625, pp. 160-1. *CSP Dom*, 1595-7, p. 176.
159. By this I mean an extreme Protestant. See chapter five pp. 333-34. There were very few Puritans in the Eastern English Borders.

Cecil clientage from an early age.

The events of 1569 again divided the gentry, but only in a small way as very few gentlemen supported the earl of Northumberland's rebellion. Hunsdon and Forster successfully quashed the two risings, which led to a further boost in Forster's already ascendant career, but resentment of Forster's achievements was appearing. Sir Cuthbert Collingwood, as a Percy ally, had held Alnwick Castle for the rebels, but his real reasons for supporting the earls were rooted in his jealousy of Forster. Collingwood may well have felt that he was being excluded from local leadership as his uncle Robert Collingwood had been one of the successful 'new' men of the Percy interregnum who tactically returned to Percy adherence in the 1550s. The earl of Sussex, who was sent north to crush the rebellion believed Collingwood to be loyal to the crown, rather than to the Percies, and may have knighted him after staying at his house at Eslington. Collingwood, like his uncle, had tried to please both the Percies and the crown, but the eighth earl barely trusted him as constable of Alnwick and the ninth earl replaced him with a Percy kinsman. Collingwood could only grumble that the Percies 'so little esteemed his thirty years service',¹⁶¹ but he now focused his resentment on Forster and clandestinely feuded with him, with the backing of the earl of Huntingdon.

In the aftermath of the rebellion there were complaints that Forster was 'possessing all in Northumberland', which was a slight exaggeration but reflected Forster's greed.¹⁶² Even Lord Hunsdon was forced to report

160. C142/158/19 C142/141/3. SP15/19/15. CSPDom Add, 1566-79, p. 321. SS cxxi, p. 61. Sir Thomas had been allied to the Darcies as well for he asked to be buried near his uncle Sir Arthur Darcy, in St Botolphs, Aldgate, London.

161. IND1/6887. CSPDom Add, 1566-79, pp. 114, 173. CSP For, 1569-71, no 1137. See chapter six, pp. 406-411 and appendix, no 175.

162. CSP Dom Add, 1566-79, p. 325.

Forster's ransacking of the Percy castles of Alnwick and Warkworth and his local power meant that 'no man howsoever oppressed dares complain'.¹⁶³

The booty from Alnwick castle was taken to embellish the nearby Abbey house, a property belonging to Sir John. Articles transported there included 600 pairs of hewn stone, 160 joists, 180 panels and at least two cupboards later given to Sir Francis Russell as a wedding present.¹⁶⁴

Forster made good use of these items using the joists to make a portal for the gallery of the Abbey and some beds, while the panels were used for decoration and to make doors for Forster's slaughter house. Wainscot made a garret for the Abbey and two laundry doors were made into a dog kennel. Forster also received lucrative land grants from the crown 'in consideration of dyveris his services doone in the late Rebellion'. His son Nicholas also received lands, but perhaps the most pleasurable bonus for the Forsters was the order to investigate Sir Henry Percy, the rebellious earl's brother. Seemingly Forster could do no wrong, but his power in Northumberland was noted by the privy council, who asked Lord Hunsdon to report on the other local gentry 'and how neere they are allyed to Sir John Forster'. The results proved how widespread kinship linked many gentlemen to Forster by cousinage and marriage.¹⁶⁵

If Forster had not distinguished himself in the Northern Rebellion, complaints that first occurred in 1568 would have been investigated. He was accused of not redressing Middle March grievances against the Scots and falsely claiming his March was quiet, but he was contrarily blamed at the same time for hanging Scots thieves.¹⁶⁶ Forster must therefore have

163. CSPDom Add, 1566-79, pp. 393-4.

164. SYON MS NII/6/1, m, p.

165. E318/43/2346. BL Cotton MS, Caligula, C iii, ff 118-120. CPR, 1566-9, p. 398.

166. CSP For, 1566-8, nos 2496, 2497, 2498, 2560. CSP Scot, ii, no 821.

been doing something about Scottish raids, but he deliberately chose not to exaggerate the Border conditions, unlike his fellow wardens who were anxious to receive their salaries on time. The rebellion changed Forster's attitude to the Middle March, however, because he was now the most powerful man in Northumberland and great power can often disguise corruption. His loyalty to the crown was unquestionable, but the decline¹⁶⁷ in the Middle March was partly due to his conceit.

The politics of the 1570s saw two new courtiers appear in local affairs. Henry Hastings, third Lord Huntingdon and president of the Council of the North 1572-95; and Sir Francis Walsingham the spymaster of Elizabeth's regime. Huntingdon looked for control of the north and therefore took an instant dislike to Sir John Forster and Lord Hunsdon, but he had no jurisdiction in the Marches. Huntingdon could therefore only snipe at their fallacies and mistakes from York, but he deviously canvassed the support of their enemies. Forster's main opposition came from Sir Cuthbert Collingwood of Eslington who switched from the Percies to Huntingdon in the 1580s. This alliance typifies the complexity of local politics as Collingwood was a Catholic and Huntingdon a Puritan. Walsingham began to work on the Forsters and Selbies, whilst the Grays stayed loyal to the Cecil camp (Sir William Cecil became Lord Burghley in 1571). William Reed of Holy Island turned to Burghley for patronage in 1573 when he wanted his previous grant of the captaincy of Holy Island renewed for life and needed favour after his disgrace in the 1569 rebellion. Reed was successful after visiting London with gift of a¹⁶⁸ goshawk for Burghley, who in turn welcomed a new client.

167. BL Cotton MS, Caligula, C iii, ff. 111-18. CSP Scot, iv, no 32.

168. CSP For, 1572-4, no 1211. CSP Dom, 1591-4, p. 489. CPR, 1578-80, no 1301. See chapter six, appendix no 35.

By 1580 Forster was still the supreme agent of the crown amongst the local gentry and it was this pervading loyalty that allowed him to remain in office, despite serious problems in the Middle March. Huntingdon repeatedly called for Forster's resignation, exploiting every tale of wrongdoing to favour his candidate Sir Cuthbert Collingwood.¹⁶⁹ The battle between Forster and Collingwood began in the 1570s and lasted until the mid 1590s, but it was at its height in the 1580s. The two men had different backgrounds that certainly made their feud more than a courtier battle. They were not directly allied by kinship and they had opposing religions, Forster being a Puritan and Collingwood a church papist.¹⁷⁰ Collingwood was jealous of Forster's success and being a former Percy supporter he naturally invited the wrath of Forster. In terms of personal wealth and patronage Forster was superior, but Collingwood had substantial lands and a broad kinship network to utilize.¹⁷¹ Court politics surfaced when Lord Hunsdon deliberately backed Forster in the feud, not because he was a friend of Forster, but purely to get at his rival Huntingdon. Forster dabbled with Walsingham for support, sending him a 'caste' of gyrfalcons in 1586 as a thank you for 'Goodnes shewed unto me frome tyme to tyme'.¹⁷² Huntingdon's loathing for Hunsdon was as intense as his campaign against Forster, with seditious letters about conditions in the East March

169. HMC, Hastings, ii, p. 18. Fraser, Douglas, iv, no 179.

170. See chapter five appendix nos 39, 112. Sir Cuthbert Collingwood's son Thomas had married Anne Gray of Chillingham (a kinswoman of Forster) yet this marriage never entered the feud, the Grays being more powerful than the Collingwoods to begin with, obliging Collingwood to them rather than the reverse. The marriage stopped Forster openly slanging the Collingwoods for being Catholics as this would have incriminated his Gray kinsmen as well, so a valuable weapon against the Collingwoods was lost in Forster's kin consciousness.

171. See chapter three pp. 208, 211.

172. CBP, i, nos 201-07, 445.

and Berwick, (Hunsdon's charge), going south in an attempt to discredit him. Conditions were far from perfect in Berwick, but this was due more to slow salary payments and poor victualling than Hunsdon's neglect. A report of 1587 by Robert Arden, a gentleman pensioner of the garrison, was probably sponsored by Huntingdon and is therefore full of accusations against Hunsdon. It has, however, little credibility because Arden was seldom in Berwick in 1587, the year of the report.¹⁷³

Propaganda against Forster by Collingwood and Huntingdon increased towards 1587, but there had been a steady trickle of reports to the privy council, Burghley, Walsingham and the Queen before this.¹⁷⁴ In July 1587 Sir Cuthbert Collingwood sent a list of Scottish spoils in the Middle March to London, which was full of his usual snipes at Forster's rule of the March.¹⁷⁵ Forster was forced to admit that his March was weak, so by August he was asked to stand aside to allow Lord Hunsdon to investigate.¹⁷⁶ However, just as Collingwood and Huntingdon thought they were winning their battle against Forster, Hunsdon decided to scupper their plans. Hunsdon and Huntingdon were rivals so in order to get at Huntingdon, he looked favourably upon Forster's misdemeanours. Hunsdon assembled all the gentry of the Middle March, including the Collingwoods, in October 1587 to hear Forster's replies to various allegations of misconduct. No one countered Forster's defence in public so Hunsdon duly reported back to Burghley.¹⁷⁷

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173. CBP, i, no 545. M. C. Cross, 'Berwick upon Tweed and the neighbouring parts of Northumberland on the Eve of the Armada', AA, 4th ser, xli, (1963), pp. 123-4.
 174. SP15/28/80. CBP, i, nos 181, 451-6. CSPDom Add, 1580-1625, p. 168. CSP Scot, viii, no 351.
 175. CBP, i, no 522. For earlier 1587 reports see *ibid*, nos 493, 494, 515. CSPDom Add, 1580-1625, p. 205. CSP Scot, viii, nos 193, 197-8.
 176. CBP, i, nos 485, 532, 546, 551, 554.
 177. *ibid*, no 556.

I finde that meer mallis prosecuted by Sir Cuthbert Collingwood of longe tyme, and furthered and maynteyned by my lorde of Huntingdon..... Their is no man (Forster) so perfitt and having so many great matters to doe in so great a wardenry, and having to deale with so many pervers and mallicious people as in this countrie.

Hunsdon got rather carried away in this report, but managed to launch a character assassination of Collingwood, giving Collingwood some of his own treatment by calling him a papist Percy-supporter and advising that he was not fit to continue as constable of Harbottle Castle.

A via media should be adopted here for both Forster and Collingwood had their faults. It was true that Forster had not gained much redress for Scottish raids and had rather too many Scottish friends, but Collingwood was guilty of March treason by selling horses to the Scots and inciting the Scottish reivers by openly challenging them.¹⁷⁸ To make matters worse Collingwood began a skirmish with the same Scots after a raid in December 1587, of which he should have informed the warden, Lord Hunsdon.¹⁷⁹ During Forster's absence from office Collingwood had single-handedly ruined the slim framework of good relations between the English and Scottish Middle Marches. Forster had been far more diplomatic, having the good sense to befriend some of the more troublesome Scots to prevent outright warfare between the Middle Marches. This was an unconventional, illegal and frankly corrupt way of dealing with Border problems, but it was based on Forster's vast experience of wardenship and was far more effective than the foolish Collingwood's irrational and power-crazed attempts at Border government.

Forster was reinstated on Hunsdon's recommendation in 1588 that he

178. CBP, i, no 601. CSP Scot, viii nos 452, 459-61, 512. See chapter six p. 40 and appendix no 246.

179. CBP, i, nos 570-1, 574-6. See chapter six, appendix no 255.

was 'the fitteste man for the tyme', which greatly annoyed Collingwood and
¹⁸⁰
 Huntingdon. Hunsdon was glad to relinquish the Middle March wardenship
 to Forster as the sheer size of the area had daunted him. Collingwood and
 Huntingdon refused to admit defeat so their campaigning began afresh.
 In 1593 Collingwood wrote directly to the privy council to complain and
 Huntingdon asked local gentry to report on Scottish raids. Neither of
 them had any authority to do this, but they were determined to make
 Forster look ineffective as warden. Forster was still active however, for
 only a week before Collingwood's complaint he had warned the local gentry
 to be alert for Scottish raiding parties. Forster was finally forced to
 retaliate against Collingwood's most obvious weakness, his recusancy. He
 searched Collingwood's house at Eslington on several occasions looking for
 seminary priests, but was unsuccessful. Unfortunately, he also had to
 search the house of his kinsman Ralph Gray of Chillingham, which incurred
 Gray's wrath and was probably the reason why he had long deferred from
¹⁸¹
 this action.

The 1590s were particularly bad years for Anglo-Scottish raiding and
 arguably no warden, whether local or not, could cope with the constant
 pressure of Scottish incursions and the lack of redress being offered by
 the Scots. Forster's slackness in gaining justice for the victims of these
 raids helped Huntingdon's campaign against him, but the fact that Forster
 had been openly colluding with the Scots led to his dismissal in August
¹⁸²
 1595. Collingwood did not have long to savour this victory as recusancy
 soon forced him into exile on his Durham estates. Huntingdon began a

180. CBP, i, no 596.

181. *Ibid*, nos 901, 907. APC, xxiv, pp. 53-4. CSPDom Add, 1580-1625, p.
 344, 367-8. See chapter five p. 334.

182. CBP, ii, nos 111, 129. CSP Scot, xi, no 259.

thorough investigation into the Middle March on 3 December 1595 at Newcastle, but he found Forster unco-operative. Huntingdon could not continue this task as his health deteriorated and he died shortly afterwards.¹⁸³

Forster found himself far from crown favour. The Queen indirectly blamed him for the death of Huntingdon in a letter to the bishop of Durham, when she referred to the investigation of the Middle March 'his grief at the state of affairs, and death in consequence'. The death of Forster's protagonist did not stop the investigation of him. It merely moved to the bishop of Durham's direction and he kept Forster under house arrest for over a year.¹⁸⁴ Forster's replacement in the Middle March Ralph, third Lord Eure, found support from the Collingwood faction and naturally carried on the vendetta against Forster. Eure stated that 'Sir John has ruined the country' but he also noted that 'there is no gentleman gentleman of worth in Northumberland not near of kin or allied to Sir John Forster'.¹⁸⁵ This was a shrewd observation for Eure would soon discover that having no great landholding in the region gave him little local support in the Middle March and the flighty Scots ran circles around him. By 25 February 1596 his wardenship was in trouble so he somewhat hypocritically asked the Queen to reward Forster for¹⁸⁶

his former deuitfull service to your heignes with gracious pardon of his defectes or negligence, whose oulde age shall

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183. CBP, ii, nos 174, 217, 292, 492. CSP Scot, xii, no 73. HMC, Salisbury, v, pp. 458-9, 476-7; vi, pp. 38-9, 149.
184. Forster later denied contributing to Huntingdon's death. CBP, ii, nos 197, 206, 233.
185. ibid, no 209.
186. ibid, nos 219, 492. Henry Anderson of Newcastle had the audacity to ask Huntingdon to thank Forster for his service! HMC, Salisbury, iv, p. 209, but Forster was probably glad to relinquish the responsibility of the Middle March as he admitted to 'having one foote alreadie in the grave' in 1597.

with joye creep to his longe home and lengthen what
maie be his decrepett age with comforte.

This attempt to appease Forster's kinsmen failed and in the end Eure's wardenship was little short of disastrous. Even the Forster-hating Sir Cuthbert Collingwood deserted Eure, resigning as deputy warden under him and retreating to Durham. Eure had been desperate for local support so, in spite of being a Puritan, he tried to court the favour of the Catholic Grays of Chillingham. The Grays did in fact leave their old alliance with kinsman Sir John Forster for a while, probably more because of his searches of Chillingham for priests and their tithe disputes, than Eure's promises. Ralph Gray failed to become treasurer of Berwick on Eure's recommendation, but Edward Gray of Howick became his deputy warden. Edward subsequently asked to relinquish his post of deputy when the Widdringtons of Widdrington attacked him in 1597.¹⁸⁷ Eure blamed 'the ould faction of Sir John Forster' for his lack of popularity in the Middle March, but this was not true. Forster realized that he would never return to the office of warden and therefore ceased to annoy his rivals. The attack on Gray had nothing to do with Forster. Instead it was premeditated by Sir Robert Carey, youngest and most ambitious son of Lord Hunsdon, whose kinsmen included the Widdringtons of Widdrington (by marriage). Carey wanted the wardenship of the Middle March for himself and he did ultimately succeed Eure.¹⁸⁸ Eure had to endure the embarrassment of an investigation into his wardenship in 1597, just like the inquiry into Forster in 1595-6. This time it was Carey's propaganda

187. CBP, ii, nos 370, 381, 499. APC, viii, pp. 73-4. HMC, Salisbury, p. 430. CSP Scot, xii, no 338. Watts, *op cit.*, p. 116. See chapter six, appendix no 191.

188. CBP, ii, nos 441, 547, 861.

that succeeded in ousting the warden, rather than Huntingdon's, and
 189
 Carey became warden in 1598.

The long power struggle between Forster and Collingwood was not the only battle going on in the local gentry community in the later sixteenth century. Sir Cuthbert Collingwood also feuded with the Selbies of Twizel in the 1580s. This was a violent feud, rather than a war of words, but the basic causes were the same, political rivalry, differences in religion and personal jealousy.
 190
 Courtier politics were evident again as Huntingdon backed Collingwood and Hunsdon supported the Selbies (Sir John Selby was deputy to Hunsdon throughout his wardenship). The Selbies were also clients of Walsingham, but this was not a paramount consideration in this feud. Just as Collingwood had envied Forster's power in the Middle March he was jealous of the Selbies' predominance in Berwick and the East March.

The Selbies received undisclosed patronage from Sir Francis Walsingham in 1584, for which they promised service in return. This service usually entailed sending spy reports to Walsingham, who was after
 191
 all the spymaster of the Elizabethan court. In 1589 Sir John Selby and his son William Selby junior were again grateful to Walsingham, firstly for gaining a pardon for William's involvement in their feud with the Collingwoods and secondly for arranging a propitious marriage for William. This explains why a North Durham gentleman married a lady from distant

189. CBP, ii, nos 756, 763, 862, 881, 894. Sir Robert Carey had first tried to get the Middle March wardenship in 1594, when his father was an absentee warden of the East March and he had just moved to the East March after being a deputy warden in the West March. CSPDom Add, 1580-1625, pp. 365-6.

190. See chapter six appendix no 32.

191. CBP, i, nos 201-08, 209, 408. Walsingham also communicating with Sir John Forster at this time, but not with Collingwood.

192
 Kent. The Selbies sometimes went to London, no doubt visiting Walsingham whilst they were there. This may account for the advantageous mortgage William Selby senior managed to acquire of Ightham Mote in Kent, which he fully owned by 1592. They were also allies of Lord Hunsdon, who employed them and rewarded them with the marriage of his ward Thomas Carr of Ford to Isabel Selby.¹⁹³

The feud between the Collingwoods and Selbies drew in their kinsmen. At one very violent encounter the Collingwood's side contained Robert Clavering the sheriff of Northumberland (whose son Robert had married Mary Collingwood) and William Collingwood a younger son of Robert, who was killed in this particular fracas. The Selbies were joined by the Strothers of Kirknewton (William Strother married Jane Selby). The violence was far from one-sided for at a previous encounter Clement Strother was left 'lame as long as he lives'.¹⁹⁴ Just to confuse the political rivalry latent in this feud, Sir John Forster took the Collingwood's side because the murdered Gavin Clavering had been his stepsister's son.¹⁹⁵ Forster had another reason to oppose the Selbies as they were involved in a tithe dispute in 1586. William Selby senior retaliated against Forster's bullying tactics in this feud by getting the Court of Star Chamber to issue a writ against Forster for a mere 13s 4d. Forster was therefore forced into the much greater expense of answering the writ at York. William was on the receiving end of this sort of tactic in 1596, when he had to travel from Kent to Durham to answer a writ at a

192. *ibid*, nos 617, 618.

193. KAO U947/T2/1. See chapter five p. 343 and appendix nos 790, 99, 109, and p. 161 above.

194. *CSPDom Add*, 1580-1625, pp. 193-7.

195. See genealogies of Forster, Gray of Horton and Clavering of Callaly. STAC5 S6/5. CBP, i, no 678.

cost of £40. Nevertheless the gentry were always capable of putting basic kinship considerations before the interests of their courtier patrons. The dabblings of courtiers must therefore be seen in the context of local kinship and rivalries, that would have occurred naturally in the community.¹⁹⁶

Other courtiers were active in the area in the 1580s as William Reed of Holy Island and William Selby senior both served with the Puritan earl of Leicester in Holland and were knighted by him. This may just have been in their capacity as professional soldiers, but their shared Puritanism cannot be coincidental. Robert Lisle of Felton won a suit in Chancery, with the assistance of Huntingdon and William Carr of Ford sent spy reports to Walsingham.¹⁹⁷ The Cecils presumably kept the Grays of Chillingham in their allegiance, but they were inactive during the 1580s.

Ralph Gray did not send any spy reports to Burghley in the 1580s, but he began to communicate with him from 1592 onwards. Gray was known as 'my Lord Treasurer's defender' and Burghley kept a close watch on Ralph's family, even to the extent of enforcing a Protestant baptism on Ralph's son and heir, William, in an attempt to curb the family's recusancy.¹⁹⁸ Sir Robert Carey noticed how favoured Ralph Gray was in 1594 and fearing that Gray might be appointed instead of him to the wardenship of the Middle March, (in place of Sir John Forster), Carey launched a crusade against him. Ralph was an influential local gentleman, noted for being 'honest and wise', unlike his kinsman Sir John Forster. Carey therefore chose to emphasize his recusant family and the risk this would create if he were

196. CSPDom Add, 1580-1625, pp. 1580-1625.

197. C3/244/42. CBP, i, nos 540, 545, 678. CSP For, 1575-7, no 1435. Sharp, *Memorials*, p. 16n. See chapter five. (Selby was Protestant).

198. CBP, i, nos 776, 877, CSP Scot, x, no 732. HMC, Salisbury, xii, pp. 35, 127, 301; x, p. 369. See chapter five pp. 332-33.

made warden. Burghley of course knew all about this before so he snubbed Carey by appointing Lord Eure as warden in 1595. Carey had to wait another four years before becoming warden of the Middle March.

The Grays' lack of top office did not sway them from allegiance to Burghley. When a violent incident occurred in Berwick in 1597, as a result of the feud between the Grays and Selbies, it was the Selbies who had to grovel before Burghley. William Selby senior¹⁹⁹

much wished to live in kinde sort with such as you seme
to favour, as with any other gentlemen of my countrey...

The Selbies were now trying to gain Burghley's patronage as their previous patrons, Walsingham and Hunsdon, were dead. Burghley had taken an interest in the Selbies in 1596 along with the feuding Collingwoods and Forsters. He was obviously considering them as clients, but he first of all made sketches of their genealogies to try and unravel their complex kinship networks.²⁰⁰ The Selbies did become clients of Burghley and his second son Sir Robert Cecil and stayed in this allegiance, (though they may have been tempted by Essex as their son John joined his trip to the Azores in 1597), yet in true Northumbrian fashion this did not stop the Selbies from feuding with the other Burghley clients, the Grays. The Cecils remained nonplussed as they were only too glad to have new clients in their struggle for predominance of the north with the earl of Essex. This struggle had arisen after the death of Huntingdon in 1595, but Essex made very little impact north of the Coquet, where intensified raiding was of more concern to the gentry than a new patron.

The only remaining political rivalries were centred in Berwick, where Sir John Carey and Lord Willoughby made themselves unpopular with the

199. SP59/33 ff. 232-4. CBP, nos 555, 573.

200. SP52/51/81. SP59/32 ff. 238-9. CBP, ii, no 697.

local gentry, particularly the locally powerful Selbies, by overtly seeking position at their expense. John Carey antagonised William Selby senior in 1597 by helping his enemies, the Grays of Chillingham, in their feud. Selby therefore retaliated with an attempt to discredit Carey in his office of deputy governor of Berwick, but Burghley supported Carey, much to Selby's disgust. Carey also tried to gain the captaincy of Holy Island from Sir William Reed by foul and persistent slandering during 1601-02, but Reed and his son held onto their ²⁰¹liferent of this office.

Willoughby, as governor of Berwick (and warden of the East March) tried to test his leadership against William Selby junior by not allowing him to choose his own lieutenant, but this time a Cecil (Sir Robert) supported ²⁰²Selby as they were still locally powerful, and Willoughby lost.

The politics of the north Northumberland and North Durham gentry were very complicated and rooted in many different causes. Courtier politics were apparent from the 1550s onwards, but they should not be treated in isolation. Kinship, religion, jealousy and loyalty to the Percies all played their part in the numerous power struggles of the region. There was never an outright victory for any courtier's clientage as the gentry switched their allegiance and were rarely consistent feuding partners. Outsiders like Lord Eure, the Careys and Lord Willoughby sought power but had to concede to the strength of the local gentry's opposition, even if this opposition was not unified, coming from different power groups within the gentry community such as the Forsters, Collingwoods or Selbies.

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201. Carey's father, Lord Hunsdon had also challenged the Reed's captaincy. C66/1409 m. 18. CBP, ii, nos 690, 697, 706, 727, 1429, 1433, 1438, 1460-1. CSP Scot, vii, no 363. See chapter six, appendix no 35.
202. CBP, ii, nos 1255-6. APC, x, p. 172. Watts, op cit., pp. 124-5.

The social structure of the gentry community of north Northumberland and North Durham from 1540-1603 was very complex. The political scene changed dramatically with new men triumphing over the traditional leadership of the Percy earls of Northumberland. The intrusion of courtier politics made rivalries amongst the new leaders more acute, but there were other important factors behind the everyday government of the area. Kinship in its broadest connotation permeated social relations between the gentry and almost all of their feuds and alliances. Religious differences were present but did not divide the community because of the close kinship between most of the gentry families. The fights over office usually included all these considerations as well as personal jealousies, yet overall the local gentry were far more fortunate than their predecessors who never had the chance to enjoy Border offices. They were, of course, the core of local government as sheriffs, J.Ps and other office-holders in the community. Although the sheriffs efficiency was questionable, the J.Ps were probably effective administrators. The outstanding gentleman of the era was Sir John Forster, but many other gentlemen advanced as well in the wake of the Percy interregnum. Forster's long wardenship may have been corrupt, but he was the most sensible incumbent of the post with his local support and knowledge of Border conditions. His power was unsurpassed in the Middle March, but the Grays of Chillingham were wealthier and the Selbies dominated Berwick and Norhamshire. Overall, the Percies downfall was probably the most important political event of the sixteenth century as it overshadowed even the Reformation in its effect on these gentlemen, changing them from being a subservient squirearchy into a group of independent, if courtier influenced, local leaders in a distinct gentry

community, to the north of the river Coquet.

CHAPTER THREE

THE WEALTH OF THE LAIRDS AND GENTLEMEN

The Eastern Borders contain some of the most fertile soils in Britain, but the area was generally impoverished by sixteenth-century standards. Northumberland's poverty was surpassed only by that of Cumberland amongst all the English counties¹ and Scotland's economy was regarded as primitive.² Both Scotland and England suffered from debasement of the coinage and inflation during 1540-1603, but there was relative stability in the English economy after 1560 compared to Scotland's economic chaos exacerbated by the Scottish crown's failure to adopt a sound monetary policy. However amidst these national economic problems the lairds and gentlemen quietly prospered from agricultural price rises and increased rentals from land.³

The sixteenth-century land market was advantageous to those lairds and gentlemen who capitalized on the burgeoning availability of monastic and crown lands.⁴ Land, for many lairds, was a useful source from which to raise credit from, through a wadset (anglice mortgage), but there were a few gentry mortgages as well. The income gained by landed men from agriculture was dependent on good harvests and adaptable leasing. The gentry circumvented the restraints of Border tenure to increase their

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1. S.J. Watts, From Border to Middle Shire, p. 39.
 2. S.G.E. Lythe, The Economy of Scotland, 1550-1625, pp. 1-15; 'The Economy of Scotland under James VI and I,' in A.G.R. Smith, ed., The Reign of James VI and VI, pp. 57-73.
 3. T.M. Devine and S. Lythe, 'The economy of Scotland under James VI - A revision article', SHR, 1, (1971), pp. 91-106. D.M. Palliser, The Age of Elizabeth, pp. 135-9.
 4. It is not possible to include all the land transactions of the lairds and gentlemen in this chapter, as there is a prodigious amount of material surviving from 1540-1603. Select examples will therefore be used throughout.

revenue by evicting, enclosing, engrossment and converting arable to pasture. The lairds were not so greedily adept at managing their lands due, perhaps, to the nature of Scottish kinship and a sense of paternalism towards their tenantry. Lairds and gentlemen had alternative sources of income to agriculture in such areas as office-holding, fishing and coal mining, but they were at best only supplementary to agriculture as sources of revenue. Comparing the relative wealth levels of the lairds and gentlemen is difficult and complicated further by the ever changing exchange rates of the pound sterling to the pound Scots. However wealth levels were nearly always reflected by status and it is possible to gauge the standard of living of the lairds and gentlemen from inventories and other sources.

I. The Land Market.

i. England.

The English land market was thriving during 1540-1603. The initial impetus for the gentry's interest in acquiring more land began with the Reformation in the 1530s. This precipitated the dissolution of the monasteries and the subsequent sale of monastic leases through the Court of Augmentations from 1536 onwards.⁵ Some monasteries had granted generous leases to local gentlemen in anticipation of dissolution, but these inevitably created friction as Augmentation leases contradicted⁶ them. The momentum of gentry interest in these lands was assisted by price inflation, yet there was only a limited supply of monastic land in

5. C. Kitching, 'The Disposal of Monastic and Chantry Lands,' in Heal and O'Day, eds., Church and Society in England: Henry VIII to James I, pp. 119-136. W.C. Richardson, History of the Court of Augmentations, 1536-54, pp. 1-13.

6. See chapter six, appendix nos 166, 181.

the Eastern English Borderland. Alnwick abbey and the priories at Brinkburn, Holy Island and Hulne were quickly sold, leaving only small pockets of land belonging to distant houses such as Nostell and Kirkham in Yorkshire. This situation was, however, alleviated by sales of crown land.

The greater gentry of north Northumberland and North Durham gained most from the dissolution as they had the most influence and income available to purchase leases.⁷ Sir John Forster began his rise to local prominence with the purchase of the lands and tithes of the cell of Nostell Priory at Bamburgh in 1541.⁸ He gradually acquired more monastic property and renewed his leases as they expired.⁹ The discovery of concealed lands in Northumberland again benefited Forster and his son Nicholas,¹⁰ but Forster's local power also led to the favouring of his kinsmen in monastic property, such as his brother Rowland Forster of Lucker and his cousin Ralph Gray of Chillingham.¹¹

Monastic leases were usually generous to the gentry as they were for twenty-one years or several lifetimes. In an era of inflation this favoured the leaseholding gentry rather than the grantor, as rentals were relatively low after the cost of purchasing the lease¹² and fines payable

7. D. Hay, 'The Dissolution of the Monasteries in the diocese of Durham', *AA*, 4th ser, xv (1938) pp. 69-114. J.T. Cliffe, *The Yorkshire Gentry*, pp. 93-100. Leases were granted to lesser and middle gentry, as well as yeomen, but they tended to be smaller leases than those of the greater gentry.
8. E318/10/450. SC6/Hen VIII/4579 m. 8.
9. C66/1238 m. 6-7. E310/21/107. E310/21/109. E367/978. CPR, 1566-9, pp. 250-2. Forster eventually dominated the monastic houses of Alnwick, Bamburgh, Hulne and Hexham.
10. E310/21/111. E318/43/2346. Concealed monastic lands were a widespread problem for the crown. They stemmed from administrative oversights in the Court of Augmentations.
11. C66/1374 m. 21-2. C66/1389 m. 9-11. C66/1585 m. 22-3. E310/21/109 E310/21/110 E310/21/111. CPR, 1563-6, p. 397; 1566-9, pp. 126-7, 141; 1572-5, pp. 200-01.
12. For instance in 1563 some of the Northumberland rentals had been static for twenty years. SC6/Eliz/1663.

upon renewal were between one and four times the annual rent. Those most in political favour, such as the Forsters, normally had the lowest fines to pay, but by the end of the century most fines were deliberately kept to a low level because of the deterioration of land near the frontier.¹³

Tithe leases were similarly renewed, but they were more complex and often contentious amongst the gentry as their payments were in kind and thus more profitable as they rose in line with the general rise in prices.¹⁴

The opportunities for leasing crown land in the Eastern English Borders were enhanced when Henry VIII acquired the Percy estates in 1537 and when he exchanged land with the earl of Rutland for Etal and Glendale in 1547. This policy continued in 1560 when Elizabeth obtained North Durham from the Dean and Chapter of Durham¹⁵ and the forfeiture of the earl of Northumberland in 1569 gave the Percy lands back to the crown from 1569-72. Sir John Forster was always eager to monopolize on the Percies' misfortune to make additions to his other acquisitions of land. Forster's longevity helped him become the greatest accumulator of land in sixteenth-century Northumberland, but on a lesser level the Swinhoes of Goswick and William Selby of Shoreswood utilized crown leases to their advantage. The Swinhoes gradually increased their holding in the

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13. For instance in 1566 Rowland Forster - no fine at all; 1583 Sir John Forster - one year's rent; 1590 Ralph Gray of Chillingham - 1.3 year's rent and 1599 the Swinhoes of Cornhill .25 year's rent. E310/21/107 ff. 55, 74. E310/21/109 ff. 1-3, 50,
 14. See chapter six, appendix nos 163, 165, 166, 176, 180-3, 186, 187, 190, 196. The gentry were mostly interested in the great tithes (i.e. grain tithes) as the small tithes (i.e. animal tithes) usually went to the vicar. J.S. Purvis, An Introduction to Ecclesiastical Record, pp. 55-6. The privy council wanted all the tithes near the Border to be granted to members of the Berwick garrison, but the local gentry monopolized them. APC, iii, p. 442.
 15. E305/F23. SC6/Edw VI/355. SC11/959. CPR, 1560-3, p. 120. Stat 1 Eliz. c. 19.

Islandshire township of Goswick,¹⁶ whilst William Selby capitalized on his military service in Ireland to secure a lease of Shoreswood in Norhamshire¹⁷ in 1566.

Aside from monastic and crown land, the gentry sold, mortgaged and deviously conveyed lands to their friends to avoid paying relief upon the entry of their heir to land held by feudal tenure. The Feet of Fines for Northumberland¹⁸ records conveyancing of local land held by knight service or socage (freehold) tenure. Transactions were required to be registered by the Statute of Uses of 1536, which was designed to prevent multiple conveyancing as a means of deception. However it was not foolproof as mortgages could disguise these transfers. The Strothers of Kirknewton used this tactic in 1535¹⁹ before the Statute of 1536 came into force, but there was some relief for the gentry in the Statute of Wills of 1540. This Act was intended to appease landed men who still wanted to evade feu duties as it allowed two-thirds of land held by knight service to be disposed of by will, leaving only a third liable to relief. Nevertheless the gentry still tried to avoid paying duty on the third remaining²⁰ as Sir George Radcliffe of Cartington (1577), William Strother of Kirknewton (1579) and Ralph Gray of Chillingham (1593) all made²¹ suspicious conveyances.

16. E310/21/107. NRO 683/19/1. Raine, ND, p. 185.

17. D & Ch Reg, 2a, f. 216; 4d, f. 18; 6f, f. 126. Selby also received many tithe leases in Norham and Islandshire such as Berrington and Kylvoe.

18. CP25/2.

19. Laing Chrs, no 401.

20. A.A. Dibben, Title Deeds, pp. 4-9, 27. J. Hurstfield, The Queen's Wards, pp. 12-14.

21. CP25/2/192/19 Eliz/EAST. CP25/2/192/21 & 22 Eliz/MICH. CP25/2/192/35 Eliz/HIL. The Gray conveyance was possibly linked to his wife's recusancy.

There were some genuine sales of land and mortgages like the purchases of Eslington by Robert Collingwood in 1542 and Fallodon by Robert Lawson of Rock in 1561.²² Mortgages were readily accepted by the prosperous Sir John Forster, who helped Roger Widdrington of the Friars (1568), John Burrell of Howtel (1576), Roger Armorer of Belford (1582) and his elder brother Thomas Forster of Adderstone (1588).²³ Other gentlemen mortgaged their land to merchants (Edmund Craster of Craster, 1573) or to non-local gentlemen stationed at the Berwick garrison (John Carr of Hetton, 1574).²⁴ Forster bought land outright to add to his already lucrative estates, such as Middleton Hall (1574) and two-thirds of Belford (1582-4), but he also made purchases at Elwick, East Duddo and Spindelston (1594-5) through his former mistress and second wife Isabel Sheppard.²⁵ Forster's fortune was built up through these acquisitions and the shrewd financial practice of delaying payments. For instance he left the rental of his gift of concealed lands unpaid from 1573 until 1590 when £480 was owing and he let these debts amass again until they reached £300.²⁶

At the other end of the financial spectrum were lesser gentlemen struggling to keep their land. John Horsley of Outchester and Roger Fowberry of Fowberry both mortgaged their land in the sixteenth century. The former was forced to sell his land to the Grays of Chillingham after many years of mortgaging²⁷ firstly to Thomas Jackson, a burgess of Berwick

22. CP25/2/32/219/EAST 1542. CP25/2/192/3 & 4 Eliz/MICH.

23. CP25/2/192/10 Eliz/HIL CP25/2/192/18 & 19 Eliz/MICH. CP25/2/192/24 Eliz/HIL CP25/2/192/30 Eliz/HIL.

24. CP25/2/192/15 & 16 Eliz/MICH CP25/2/192/16 & 17 Eliz/MICH.

25. CP25/2/192/26 & 27 Eliz/MICH CP25/2/192/35 & 36 Eliz/MICH
CP25/2/192/36 & 37 Eliz/MICH.

26. SC6/Eliz I/1672-1699. SC6/Jas I/763. Arrears for monastic land were known in Northumberland as early as 1539. SC6/Hen VIII/7374.

27. ADM75/101. CP25/2/76/646 MICH 1558 CP25/2/192/37 Eliz/HIL
CP25/2/192/43 Eliz/TRIN.

who later sold his interest to Valentine Brown the treasurer of Berwick. Roger Fowberry had consistently undervalued his small estate and gave long leases, as well as a ridiculously cheap mortgage of £120 for six years, to his friends the Strothers of Kirknewton. His estate was worth £50 a year, so he inevitably defaulted on repayment and suffered forfeiture, under common law, of his entire 1210 acre estate to the Strothers.²⁸

It is difficult to estimate exactly how much land the gentry families held as the acreages given in Inquisitions Post Mortem are only vague estimates and references to messuages, cotlands, orchards and common pasture are not specified in acres. The following acreages are therefore approximate.

Table One. The Estate Acreages of the Gentry.

Name and status	Date*	Minimum acreage	Reference
Robert Lawson of Rock, esq.	1565	4600	C142/143/71
Roger Widdrington of the Friars, gent.	1568	340	CP25/2/192/10 Eliz/HIL
Edmund Craster of Craster, esq.	1573	2400	CP25/2/192/15 & 16 Eliz MICH
John Carr of Hetton, gent.	1574	2065	CP25/2/192 16 & 17 Eliz MICH
Vincent Rutherford of Middleton Hall, gent.	1574	3220	ibid
John Burrell of Howtel, gent.	1576	430	CP25/2/192/18 & 19 Eliz MICH
Roger Armorer of Belford, gent.	1582	536	CP25/2/192/24 Eliz/HIL
Robert Beadnell of Lemmington, esq.	1583	2070	C142/201/96
Thomas Forster of Adderstone, esq.	1588	4300	CP25/2/192/30 Eliz/HIL
Ralph Gray of Chillingham.	1593	427500	CP25/2/192/35 Eliz/HIL
John Horsley of Outchester, gent.	1595	1000	CP25/2/192/43 Eliz/TRIN

* The date refers to that of the source of the information.

28. CP25/2/33 & 34 Eliz/MICH. REQ2/64/70 REQ2/270/67. Laing Chrs, nos 1050, 1051. Cliffe, op cit., p. 147. See chapter six, appendix no 188.

Sir John Selby of Twizel.	1597	4850	C142/245/62
William Haggerston of Haggerston, esq.	1608	1940	C142/344/82
Sir Cuthbert Collingwood of Eslington.	1612	8600	C142/432/134

The acreages of table one only refer to the Northumberland and North Durham lands of the gentry, but a pattern of size in relation to status still emerges. Gentlemen held between 340 and 3,220 acres; esquires 1,940 - 4,600 acres and knights (including Ralph Gray of Chillingham) 4,850 - 427,500 acres.²⁹ These statistics are, however, slightly misleading as 340 acres of land with arable potential were worth more than 3,220 acres of upland pasture, whilst much of Ralph Gray's huge (and probably overestimated) acreage was near the Border and was significantly decayed or used only as a sheiling ground.

Some gentlemen held land at varying distances outwith the Eastern Borders. Edmund Craster of Craster held land in Richmondshire (Yorkshire); Sir Cuthbert Collingwood held land at Eppleton in Durham and at Benton in Yorkshire and William Selby of Shoreswood had the most distant property at Ightham Mote in Kent.³⁰ Several gentry families also held land in local boroughs, such as the Grays of Horton, Ords of Longridge, Reeds of Fenhem, Selbies of Twizel and Strothers of Kirknewton in Berwick³¹ and the Alders of Prendwick, Claverings of Callaly, Forsters of Bamburgh and Ogles of Eglington in Alnwick.³² These borough properties were probably just tenanted investments, with the exception of the

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29. This compares with the Yorkshire gentry who held 50 - 1000, 1000 - 5000 and over 5000 acres respectively. Cliffe, op cit., pp. 29-32.
30. C142/112/121 C142/263/27 C142/432/134. DPRW Reg vi, ff. 219-20. See chapter two pp. 199-200.
31. C142/158/19. BRO B6/1 ff. 43-114. NRO 452/D1/22. Laing Chrs, no 1213.
32. C142/103/55 C142/267/69. CP25/2/192/42 & 43 Eliz/MICH. E310/21/109 E310/21/111.

Selbies' and Ords' who had land in Berwick because they held offices in the town and garrison.

ii. Scotland.

The lairds were also known to hold land in their local burghs. The Homes of Ayton and Wedderburn along with the Edingtons of that ilk held lands in Duns³³ and the Kers of Cavers and Cessford had property in Kelso,³⁴ but the most dominant laird in an Eastern Border burgh was Sir Thomas Ker of Ferniehirst who held fourteen burgages in Jedburgh.³⁵ The lairds also held lands that were unconnected to monastic land outside their locality in neighbouring counties and further afield. The Homes had many properties in East Lothian and the Lumsdens of Blanerne had a house in Edinburgh, but the Homes of Manderston and Cockburns of that ilk held land at Stracathro and Inverarity in Forfarshire (Angus).³⁶

The monastic land held by the lairds was equally widespread. For instance the Homes' dominance over Jedburgh Abbey allowed them access to its daughter house at Restenneth in Forfarshire and George Cranston of Corsbie held Southside in Midlothian from Newbattle Abbey.³⁷ There was a wealth of monastic land in the Eastern Scottish Borders, unlike Northumberland, and this allowed the lairds greater access to this type of land. However in Scotland there was no abrupt 'dissolution' of the monasteries as there had been in England. Instead there was a gradual

33. GD267/27/67. RMS, iii, 279; iv, 49; vi, 618.

34. NLS CH5157. RMS, vi, 1462, 3142.

35. It was not surprising that Ferniehirst battled to be provost of Jedburgh in the later sixteenth century. See chapter one, pp. 82-84. GD1/33/31. NRAS 859/130/2.

36. RMS, iii, 447; iv, 2228, 2169. The Home held land at Dunglass, Spott, Dunbar, Gullane, Broxmouth etc., in East Lothian.

37. CC8/8/23 ff. 284-6.

secularization of monastic land that began well before the Scottish Reformation and continued throughout the sixteenth century. The first monastic feu charters were granted by abbots, priors and prioresses to gain compensation for large tax demands from James V.³⁸ The recipients of these feu charters (the feuars) were often the original tacksmen of the lands granted, like the Linlithgows of Drygrange who feued from Melrose Abbey in 1540.³⁹ The Stewarts of Eildon also feued from Melrose and the Kers of Newhall had a feu charter from Kelso Abbey.⁴⁰ These feu grants benefited the lairds in the long-term as price rises favoured those with heritable leases, that did not have to be renewed as frequently as short tacks. Scottish feu charters of monastic origin were a better prospect for landed men than the non-heritable leases of the Court of Augmentations.

Lay control of local Scottish monastic foundations was much sought after both by local lairds and outsiders. The system of appointing lay commendators in place of the religious heads of these houses guaranteed great riches to those lucky enough to be in crown favour. Outwith the Borders Mark Ker, a younger son of the Kers of Cessford, amassed a fortune through gaining the commendatorship of Newbattle Abbey near Dalkeith in 1549,⁴¹ but the lairds also succeeded in gaining Coldingham, Eccles, Jedburgh and Kelso in the Eastern Borders, after the Reformation.

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38. D. E. Easson, 'The Reformation and the monasteries in Scotland and England: Some Comparisons', TSES, xv, (1957), pp. 7-23. W. Stanford Reid, 'Clerical Taxation: The Scottish Alternative to Dissolution of the Monasteries, 1530-60', Catholic Historical Review, xxxv, (1948), pp. 129-153.
39. SC62/2/1. RMS, iii, 2081. G. Neilson, 'The Feuing of Drygrange from the Monastery of Melrose', SHR, vii, (1910), pp. 355-63.
40. SC62/2/1. RMS, iv, 1624. See chapter one pp. 37-8 for feuars.
41. CC8/8/16 ff. 79-83. GD40/14/4. His inventory (1586) amounted to £16046 but this may be incorrect as the commissaries did not approve it. M. Dilworth, 'The Border Abbeys in the Sixteenth Century', RSCHS, xxi (1981-3), pp. 233-245.

Coldingham was heatedly contested between the Homes of Manderston, Maitlands of Thirlestane, the Lords Home and the earls of Bothwell, who were all commendators there after 1560.⁴² Eccles was granted to the Homes of Cowdenknowes, whilst Jedburgh was held by the Lords Home through their nominee commendator (their younger son Andrew Home)⁴³ and Kelso eventually went to the Kers of Cessford in 1592, although they had sought it since the 1560s.⁴⁴ Most of these lairds had their sons and heirs made commendators as minors to manipulate the monasteries' lands for their own purposes and even if the lands had all been feued there were still the teinds (anglice tithes) to exploit.

When the commendatorship of a religious house was not available to the lairds, they used other devious methods to gain control of the lands. This was the case with the nunneries of Abbey St Bathans, Coldstream and North Berwick. The fifth Lord Home recommended his niece, Elizabeth Home (daughter of the commendator of Jedburgh), as prioress of St Bathans in 1565, but she was little more than a figurehead as Home had secured most of the abbey's lands in a feu charter of the same year. Home then influenced the granting of the remaining lands and teinds to his kinsman, Alexander Home of Huttonhall.⁴⁵ The Pringles of that ilk had three successive female kinswomen as prioresses of Coldstream, but they alone did not command all the nunnery's lands by this tactic. They had no power base in the Merse so they sensibly leased the land to more local lairds

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42. CSP Scot, v, no 592. RMS, iv, 2178; v, 109, 1880. RSS, v, 2182; vi, 927. HMC, Home, no 316; Milne-Home, no 89. M. Dilworth, 'The Commendator System in Scotland', IR, xxxvii (1986), pp. 51-72.
43. RMS, iv, 1737. RSS, vi, 2186. HMC, Home, no 316. See chapter six, appendix no 70.
44. APS, iii, p. 454. CSP Scot, ii, no 99. RMS, iv, 1905. RSS, v, 3212, 3245. HMC, Home, no 176.
45. GD158/454 GD242/45. NRAS 859/10/6. RMS, iv, 1716. RSS, v, 3412.

such as the Homes of Huttonhall and Manderston and the Kers of Hirsell. The commendatorship was eventually granted to the Kers after all the nuns had died.⁴⁶ The Homes of Polwarth had many kinsmen in the locality of North Berwick in East Lothian so their acquisition of the priory, via a succession of daughters as prioresses, was on firmer ground. This did not mean that they were unopposed for the earl of Bothwell mischievously stole their seal in the 1560s, but they did not have to concede as much land as the Pringles. The Homes of Polwarth were interested in North Berwick from as early as the 1520s when Alison and Isobel were prioresses, but they gained royal approval for their plundering activities with the appointment⁴⁷ of two Margarets in 1544 and 1568 respectively.

A charter of 1548, by the first Margaret Home to her nephew, marked the start of the Homes' overwhelming secularization of North Berwick. In 1555 a nineteen-year tack of the parsonage of Logie in Stirlingshire was given to Patrick Home of Polwarth for only 800 merks, with no annual rent, though he had previously held it for a more realistic rental of £50 Scots⁴⁸ p.a. As with many other monastic grants of this period the leaseholder gained far more than the granter because of inflation. The second Margaret was little more than a pawn for the ambitions of her uncle Alexander Home II of North Berwick, who undoubtedly reaped the greatest benefit from the priory's lands.⁴⁹ She did, however, grant a pension to her uncle Adam, but this was probably at Alexander's direction. The Homes' legitimate

46. RD1/19 ff. 417-24. RMS, iii, 666; iv, 1709, 2565, 2928; v, 450, 533, 1538.

47. GD110/547. L & P Hen VIII, xix, pt 1, no 49. RMS, iv, 1824. HMC, Marchmont, no 24. North Berwick Carte.

48. N.B. Chrs, pp. xxii, 62-3, 71-2. i.e. the equivalent of only £27-13-4 p.a. in the second grant.

49. CC8/8/32 ff. 74-6. APS, iii, p. 436. RMS, iv, 1604, 1919, 1920; v, 1866. RSS, v, 2826.

pillaging of the nunnery was unexceptional by sixteenth century standards as many, including pious Catholics, helped themselves to monastic possessions. The Homes of Polwarth were ardent supporters of the reformed church, yet they must have had some pangs of guilt about their monastic wealth as they allowed one of the nun's portions of the priory to be granted to a handicapped girl in 1565.⁵⁰

Monasteries were not the only source of ecclesiastical property available to the lairds in the sixteenth century. The kirklands (glebes) were feued by both pre-Reformation vicars and post-Reformation ministers to local lairds, such as that of Swinton in 1543 to John Swinton of that Ilk and Langton in 1585 to William Cockburn of Choicelee.⁵¹ The kirklands seem to have been highly prized by local lairds as an additional source of revenue, so they could belong to several different lairds throughout the century. For instance, the kirkland of Morebattle was leased to the Kers of Cessford and Corbethouse and the parsonage of Duns was contested amongst several Home lairds.⁵²

Grants of monastic and churchland sometimes included the teinds, which were another lucrative source of income for the lairds.⁵³ Numerous lairds received teind leases from the superior of the land, whether this was the minister, such as John Douglas minister of Chirnside (who in turn held of Dunglass Collegiate Church), or a commendator of a religious house,

50. RSS, v, 2268.

51. GD12/117 GD242/46. M.H.B. Sanderson, 'Manse and Glebe in the Sixteenth Century', SCHS, xix, (1975-7), pp. 81-92.

52. E48/1/1/f. 213. RD1/1/f. 79. RPC, iii, p. 723; iv, pp. 77-7. RSS, v, 2511. See chapter six appendix no 112.

53. A.A. Cormack, Teinds and Agriculture, pp. 79-108. M.H.B. Sanderson, Scottish Rural Society in the Sixteenth Century, pp. 33-4.

such as the Erskines at Dryburgh who granted the teinds of Lauder to Andrew Home in 1541.⁵⁴ Teind leases could be advantageous, such as the nineteen-year tack of 1561 granted by Kelso to Thomas MacDougal of Makerstoun, for his local teinds. This specified that a rental of eight chalders of victual p.a. was required only for the first five years of the lease after an initial payment of 800 merks, but Thomas had previously held these teinds at 200 merks p.a.⁵⁵ George Pringle of Blindlee was not so favoured when he renewed his tack of the kirklands of Stichill in 1576 as he had previously paid forty shillings a year and now had to find £10 Scots.⁵⁶ Nevertheless Pringle would have still made a profit on this lease with rising prices and devaluation of the coinage.

Feuing was not confined to ecclesiastical lands as crown lands were also granted in perpetuity to many local people, including a substantial number of lairds. In the Eastern Borders the main source of crown land was Ettrick Forest. The Kers of Linton, Primsideloch and Yair as well as the Lords Home and the Pringles of Galashiels and Torwoodlee all held crown charters of land here in feu.⁵⁷ Like the monastic feu charters, the advantages were mostly with the feuar rather than the grantor. For instance, George Pringle of Torwoodlee paid £33-6-8 a year for Torwoodlee in 1555 and in 1587 he was still paying the same amount to the Exchequer.⁵⁸ The Kers of Linton held Fairnilee at £50 Scots p.a. with a mere six shillings and eight pence augmentation in 1595, although they wadsetted

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54. CC8/8/1 f. 117 CC8/8/14 ff. 234-7. RMS, iv, 1645. RSS, vii, 1108
 55. CS7/10 f. 168. RD1/2 f. 102.
 56. CC8/8/4 f. 67. RMS, iv, 1229.
 57. CC8/8/10 ff. 86-7. CS7/5 f. 138. RD1/3 f. 213. RMS, iii, 852, 3133; v, 1390; vi, 329. RSS, iv, 2954. RPC, ii, p. 492. HMC, Home, no 149.
 58. ER, xviii, p. 371. RMS, v, 1390.

the property at a yearly value of 313 merks in 1565.⁵⁹ The feuars were more fortunate than other tenants who had to pay much larger augmentations when they renewed their feudal tenures.

The Brounfields of Hassington Mains renewed their charter of the £4 land of Hassington in 1555 from Lord Home for 200 merks, yet in 1588 the same procedure cost them 1200 merks.⁶⁰ A £4 land, measured by the medieval tax assessment of old extent would have been a substantial acreage in the sixteenth century, worth far more than £4 Scots, but the 1200 merks (£800 Scots) demanded by Lord Home would still have been cheaper than buying the land afresh. Land prices had soared along with the inflation of prices to the extent that two acres in Coldingham were redeemed for £200 Scots in 1592.⁶¹ The fifth Lord Home had reasonably sound finances until his forfeiture in 1573 which adversely affected the prosperity of his son, the sixth Lord Home.

The legacy of the Home forfeiture was difficult for the sixth Lord, but he did not help the situation by overspending. Lord Home was not alone in his extravagance as other Border lairds amassed debts, but he had actually to sell land to cover his debts rather than just wadset on an extended basis. He did initially wadset the barony of Broxfield in 1583 to the MacDougals of Makerstoun for 12600 merks, but he lost it through not repaying the loan by 1592.⁶² Home also sold Ladykirk to his kinsman, Alexander Home of Huttonhall, for 6000 merks in 1591 and the barony of Greenlaw was sold to Sir George Home of Spott in 1596, whilst he continued

59. RD1/6 f. 36. RMS, vi, 329.

60. RD1/28 f. 405. HMC, Home, no 194.

61. RD1/40 f. 436.

62. RD1/28 f. 230 RD1/45 f. 414. NRAS 859/14/8. RMS, v, 1995. RSS, viii, 1254.

to wadset lands in East Lothian to Alexander Home of North Berwick.⁶³ Lord Home apparently did not consider wadsetting land to Edinburgh advocates or merchants, yet many other Border lairds overlooked their kinsmen in favour of borrowing from these men.

Advocates were patronized more than merchants by indigent lairds before 1603.⁶⁴ Mr Thomas Weston seemed to oblige many Eastern Border lairds with wadsets from 1567 to 1585. He helped the Pringles of Galashiels on many occasions, as well as the Kers of Primsideloch and Hirsell and Nicol Cairncross of Calfhill.⁶⁵ The Pringles seem to have repaid a loan only to take out another wadset almost immediately, thus remaining in constant debt to Weston and others including William Pringle, a litster burghess of Edinburgh. Other advocates who obliged the lairds included Mr Edward Hay, Mr Oliver Colt, Mr George Crichton and Mr John Moscrop.⁶⁶ Wadsets were only beneficial as short-term loans for interest rates were generally quite high. When interest was taken as an annual rent of the lands wadsetted in money the rate can be calculated.

Table Two. Interest Rates paid by the Lairds 1556-1594.

Date	Borrowing Laird/Lender	%	Reference
1556	MacDougall of Makerstoun/Alex Cockburn	4	RD1/1 f. 336
1563	Ker of Primsideloch/John Weston	12	RD1/6 f. 369
1567	" / Thomas Weston	12	RD1/9 f. 65

63. NRAS 859/9/3. RMS, v, 1963; vi, 500, 741. HMC, Home no 286.

64. Mercantile credit at interest from Edinburgh was more evident in the Borders after 1603. J.J. Brown, 'The economic, political and social influences of the Edinburgh merchant community, 1600-38'. Edinburgh Ph.D 1985.

65. GD237/11/1/3 GD237/11/1/7. RD1/9 ff. 65, 279, 310 RD1/13 f. 136 RD1/14 ff. 125, 196-9 RD1/16 f. 291 RD1/20/1/2 f. 322 RD1/26 f. 430

66. CS7/39 f. 36. GD157/9. RD1/6 f. 267 RD1/9 ff. 338, 394 RD1/15 f. 302. RD1/41 f. 179.

1570	Home of North Berwick/Home of Heuch	8.5	RD1/9 f. 286
1574	Andrew, commendator of Jedburgh/ John Stewart	15	RD1/13 f. 230
1575	Cairncross of Calfhill/Thomas Weston	12	RD1/14 ff. 197-9
1575	Pringle of Galashiels/ "	10	RD1/14 f. 196
1579	Ker of Hirsell/Henry Lumsden	10	RD1/17 f. 131
1582	Cockburn of that Ilk/Archibald Boyman	10	RD1/20/2 f. 93
1583	Home of Ninewells/John Moscrop	12	RD1/21 f. 86
1584	Andrew, c. of Jedburgh/Margaret Home	12	RD1/24 f. 48
1587	Ker of Cessford/Cairncross of Calfhill	12	RD1/24/1 f. 304
1587	Lauder of Whitslaid/John Moscrop	10	RD1/25 f. 214
1588	Lauder of that Ilk/William Pringle	10	RD1/28 f. 163
1589	Haitlie of Mellerstain/William Napier	10	RD1/30 f. 238
1591	Spottiswoode of that Ilk/Home of Carolside	13	RD1/38 f. 197
1592	Home of Blackadder/John Moscrop	12	RD1/41 f. 179
1592	MacDougal of Makerstoun/John Ferguson	12	RD1/43 f. 373
1593	Home of Manderston/Richard Cass	10	RD1/46 f. 128
1594	Home of Wedderburn/John Nicholson	10	RD1/50 f. 131

There was no distinct pattern of wadsetting amongst these lairds as Cairncross of Calfhill appears as both a borrower and a lender. Financial embarrassment could, of course, occur at any time for the lairds but marriage contracts were a probable source of some of the loans. Even the wealthy Maitland of Thirlestane was forced to raise money by this method⁶⁷ in 1593. However, when a laird repeatedly mortgaged his land it was a sure sign that he was in financial difficulties. The Haitlies of Mellerstain were lucky not to lose their estates during the second half of the century as they craftily wadsetted the same land to several people at once. This subterfuge was discovered by the family of Henry Haitlie's wife when they tried to settle her jointure in 1573 and found a tangled web of financial dealings.⁶⁸ Henry, not surprisingly, died in debt in 1576, but his successor John managed to salvage his estates and actually

67. GD158/302.

68. There were a succession of Haitlie wadsets from 1552-1589 ranging in value from 400-8000 merks. CS7/7 ff. 16, 25 CS7/8 f. 605 CS7/15 f. 255. CS6/27 f. 110. CC8/8/4 ff. 267-8. GD158/108. RD1/1 f. 311 RD1/5 ff. 168, 170 RD1/6/2 f. 26 RD1/9 f. 312 RD1/10 f. 81 RD1/12 f. 350 RD1/31 f. 61. See table three.

died in 1603 with an inventory worth over £9000 Scots. The Haitlies were typical victims of the 'fiar' system, when a laird granted his lands to his son and heir during his lifetime in return for a liferent of the same and security of the third for the laird's widow. This often took place when a marriage was arranged for the heir, but it caused all sorts of trouble if the heir predeceased his father after being infeft of the land⁶⁹ as the process could not be reversed.

The multifarious land market of the Eastern Borders was therefore beneficial to aspiring lairds and gentlemen, as well as being a useful source for raising loans. Rising prices assisted the feuars and other long lease-holders of monastic or crown land on both sides of the frontier, but a few of them were financially overstretched or extravagant and had to sell land or even lost their estates as a result. Overall the majority of the landed men in this region were probably prospering in an era of rising prices and rentals.⁷⁰ The agricultural systems adopted by the landed men of this region now have to be investigated to fully understand land as their principal source of wealth.

II. Land Management and Agriculture.

The husbandry of the Eastern Borders was similar on both sides of the

69. See chapter six, appendix no 99. There are many examples of fiars amongst the Border lairds, but it should be noted that this procedure was not designed as a measure to avoid paying feudal relief like the suspicious conveyances in England. It was merely a means of securing property. Examples included John Ker, fiar of Corbet, Philip Nisbet, fiar of the Ilk and William Douglas, fiar of Bonjedward. RPC, iv, p. 756; v, p. 395; vi, p. 829.

70. This was mirrored in the gentry communities in Yorkshire and East Anglia. Cliffe, *op cit.*, p. 161. A. Simpson, The Wealth of the Gentry, pp. 179-216.

frontier, but the land management of the lairds and gentlemen differed sharply. The lairds and gentlemen grew much the same crops and raised similar livestock amidst corresponding topography and climatic conditions, but the gentry proved to be the profiteers of new land management. They perpetrated evictions, enclosure and engrossment with little regard to the restraints of Border tenure, to gain more profit from their tenanted lands, whilst the lairds' lands remained relatively unchanged.

The lairds and gentlemen gained income from land in two ways: firstly by leasing their land to tenants for an annual rent in kind or money, with entry fines or gresssums payable upon the entry of an heir or when the lease was renewed; and secondly by farming their own demesne and lands nearby. The first source would have made up the majority of their landed income, but demesne farming was profitable as well if a surplus was produced for sale in an era of increasing prices.⁷¹ The lairds could increase their rents and reversions in line with inflation, but the gentry were supposed to remain within the confines of Border tenure that did not allow a tenant to be evicted if he was armed to defend the Border, even if he had refused to pay a higher rent or entry fine.

Border tenure was a unique form of tenant-right leasing found only in the north of England. It basically gave the tenant security of tenure if he was armed on horse or on foot for Border defence and the expense involved in this exempted him from normal taxation. Border tenure was principally for non-gentry tenants as the gentry had obligations to defend the realm through holding their land by socage (freehold) and military

71. P.J. Bowden, 'Agricultural Prices, Wages, Farm Profits and Rents', in J. Thirsk, ed., The Agrarian History of England and Wales, v, pt 2, pp. 1, 15. *ibid*, iv, pp. 594-609. D.M. Palliser, *op cit*, pp. 336-7.

(knight) service, but they were all excluded from taxation.⁷² North Northumberland and North Durham were well armed and plenished (cultivated) areas according to the muster roll of 1539, but decay set in soon after this as later musters in 1586, 1593 and 1595-6 show very serious decay in Border defence precipitated by a sharp decline in Border tenure. For instance North Durham had 320 horse in 1540, yet by 1593⁷³ there were only 130. The reasons for this decay can be attributed to crown policy in the 1530s, the gentry's actions to increase their income from tenanted land and persistent Scottish raiding.⁷⁴ Theoretically it should not have been possible for the gentry to override Border tenure, but they were not renowned for their adherence to other statutes concerning the Borders.⁷⁵ Historians disagree about the effectiveness of Border tenure as R.A. Butlin, P.J. Dixon, A. Knowles and R. Newton believe that it restricted rent increases and land improvement, whilst J. Thirsk and E. Kerridge think that it was undermined by rent rises and S.J. Watts alone correctly attributes some of the decay to the incidence of Scottish

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72. S. J. Watts, 'Tenant - Right in early Seventeenth Century Northumberland', *NH*, vi, (1971), pp. 64-87. Thirsk, *op cit.*, iv, pp. 292-3. R.W. Hoyle, 'An Ancient and Laudable Custom: The Definition and Development of Tenant Right in North-Western England in the sixteenth century', *P&P*, no cxvi (1987), pp. 22-55. A. Knowles, 'Customary tenure on the northern estates of the Percy earls of Northumberland in the sixteenth century'. Border tenure was effectively ended with the Union of the Crowns in 1603, but there was much confusion. *Manchester MA. 1983*
73. E36/40. SP15/28/95 SP15/32/76. *CBP*, i, no 47. C.J. Bates, *The Border Holds of Northumberland*, pp. 28-44. In Scotland men between sixteen and sixty were supposed to be armed and appear at musters, but this was not linked to tenure and they received no tax concessions. *NRAS1100/717. HMC, Roxburghe*, no 94.
74. The gentry had been paid pensions for Border service in the 1530s and were thus reluctant to serve without reward after this. See chapter two pp. 137-38.
75. *Stat*, 23 Eliz. c. 4. See pp. 230-1 for their evasion of enclosure Legislation.

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tenants in the area. Border tenure was, in fact, overwhelmingly ignored by the gentry of the Eastern Borders in their quest for a better return from their tenanted lands.

The gentlemen of the Eastern Borders were conscious of their area's impoverishment in comparison to the south of England, so they copied the agricultural innovations known in the south and raised rents, but they also utilized their proximity to the frontier and illegally encouraged Scottish tenants to settle in the area. The Scots were not bound by Border tenure and were less likely to be raided by their fellow Scots so they could offer a higher rental to the gentry. There were far more Scots living in this area during 1540-1603 than has previously been acknowledged, for the gentry seemed to have a mutual agreement never to admit that they had Scottish tenants. On rare occasions an eviction was reported to the Border officers, such as those at Branxton in 1580 and Ilderton in 1586 that were carried out by a well organized gang of Scottish thugs, yet overall there must have been a conspiracy of silence about this abuse. The muster rolls frequently recorded 'no cause' for Border decay, probably to disguise the fact that the lands had been
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leased to Scots, as they seem to have a repertoire of excuses for other

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76. R. A. Butlin, 'Enclosure and improvement in Northumberland in the sixteenth century', *AA*, 4th ser, xlv (1967), pp. 149-160. P.J. Dixon, 'The Deserted Medieval Villages of North Northumberland: A Settlement History From The Twelfth to the Nineteenth Century'. University of Wales Ph.D. 1984. E. Kerridge, *Agrarian Problems in the sixteenth century and after*, p. 59. A. Knowles, *op cit.*, p. 83. R. Newton, 'The Decay of the Borders: Tudor Northumberland in transition', in Chalkin and Havinden, eds., *Rural Change and Urban Growth, 1500-1800*, p. 3. J. Thirsk, *op cit.*, pp. 292-3. S.J. Watts, *From Border to Middle Shire*, pp. 39-40.
77. *CBP*, i, nos 47, 435; ii, nos 762, 796, 881. *CSP Dom Add*, 1580-1625, pp. 93-5, 359. *CSP Scot*, viii, no 351 (p. 321). *Hamilton Papers*, i, pp. 120-1. *SP1/179 ff.* 157-60. See chapter seven pp. 439-43.

townships listed in the roll.

The agricultural trends of the rest of England adopted by the Northumbrian gentry included the conversion of arable land to pasture, engrossment (convertible husbandry), and enclosure. Pasture was preferable to arable in the middle decades of the sixteenth century when wool prices were high, but it could only be accomplished by evictions and was outlawed for this reason in 1555.⁷⁸ When wool prices fell the gentry probably switched over to cattle, rather than re-convert to arable. There were thirty-nine townships in the Eastern Borders affected by this convertible husbandry including Howtel, Hetton, Outchester, Ross, Newland, Crooklaw, Warenton and East Bradford.⁷⁹ Engrossment was another facet of convertible husbandry that involved the amalgamation of several holdings into larger units, with the inevitable eviction of some or all of the tenants. Sir Thomas Gray of Chillingham evicted 340 people from Newham in a single day in the 1580s and the Selbies of Biddlestone made twenty-two holdings into thirteen at Biddlestone in 1584. This was presumably to gain a higher rental from re-dividing the land amongst new tenants or to take more land into their own hands. There was an irony to this situation because engrossment was against Border law, yet the government wanted tenants to have larger holdings to prevent partible inheritance depleting the strength of Border defence. The gentry were therefore presented with an excuse for engrossing their lands for their own profit.

78. Stat, 2 & 3 Ph. and M. c. 2. xxv. D.C. Coleman, The Economy of England, 1450-1750, chapter three. S. Pollard and D. W. Crossley, The Wealth of Britain, 1085-1966, pp. 83-124. L.A. Clarkson, The Pre-Industrial Economy in England, chapter three.

79. SP15/28/80 SP15/28/95 SP15/32/76. CBP, i, no 47. There were 165 deserted medieval villages in Northumberland, but there were new townships as well. R. Newton, The Northumberland Landscape, pp. 109-111. There was only one example of pasture being turned into arable by Robert Ellerker of Hulne in 1567. ALN MS AI/1/b f. 17.

Engrossment during the sixteenth century began to change the landscape as new townships were created, such as New Etal, Chillingham Newton and New Bewick.⁸⁰

The taking of excessive entry fines and increasing rentals was another source of income for the gentry that was connected to the decline of Border defence. This practice was officially discouraged from 1543 onwards but the gentry, eager for more revenue, disregarded the advice and were classed as 'notorious' oppressors of their tenants as early as 1552.⁸¹ Accusations about this type of oppression were, however, most numerous in the 1580s and 1590s when both local and non-local gentlemen were cited. They included Henry Haggerston of Haggerston, who was reported to take excessive fines from his tenants at Old Etal, Doddington, Berrington Cheswick and Haggerston in 1580 and Arthur Cresswell, a Londoner, who overcharged his former Percy tenants at Ellingham and Swinhoe. A crown directive that fines should be kept to no more than one year's rent had⁸² obviously been ignored by these men. There were also many murmurings about gentlemen 'enhancing' rents, such as Ilderton of Ilderton at Ilderton and Roseden; Robert Clavering of Callaly at Yetlington; Sir John Forster at Shoston and Sir William Reed at Scremerston.⁸³

The gentry denied this oppression of their tenants in the same manner as they denied having Scottish tenants, but there is no doubt that they were the perpetrators of cruel land management. The most vicious example of this behaviour to be recorded occurred in 1600 when the violent Henry

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80. SP15/28/95. D. & Ch. Lib, MS CIII. 20/3 f. 20. P.J. Dixon, op cit., p. 80. R. Newton, op cit., (Chalkin and Havinden), pp. 2-31.
 81. CSP Dom Add, 1547-65, p. 419. Kerridge, op cit., pp. 58-9.
 82. E310/21/109 f. 7 E310/21/110 f. 26. SP59/20/80. CBP, i, no 47. CSP Dom Add, 1547-65, p. 568; 1580-1625, p. 231.
 83. SP15/28/95, iii - v.

Collingwood of Etal imprisoned Peter Lawe, a tenant of Etal, in a 'deepe dungeon'. Collingwood was also reported to generally 'wounde, beate and oppress' the other tenants because they refused to leave their land. Collingwood apparently wanted to engross their land or lease it to Scots, but he had not reckoned on Peter Lawe going to the Court of the Star Chamber to complain about him and he was later gaoled. Star Chamber had been interested in punishing oppressive landlords like Collingwood since 1597, but they normally lacked evidence because of the local gentry's conspiracy of silence in this matter.⁸⁴

The gentry's use of convertible husbandry, increasing fines and enhancing rents were certainly oppressive actions in a poor region, but enclosing some of the best land and common grazing for their own use was equally cruel.⁸⁵ This often meant that the local tenants could not keep horses for Border defence on common land, as the gentry put their cattle there instead. In 1567 the tenants of Ellingham and Chatton complained that they were 'over rune with gentlemen planted nowe amongst them'.⁸⁶ Sometimes the gentry enlarged their demesne for themselves or to re-let the land⁸⁷

at suche a rackede rent, as the tenants are not
hable to mainteine the service...

The lands of Little Houghton were made into demesne in 1584 and part of the common of Houghton and Alnmouth was enclosed in 1567 for John Carr of

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84. STAC5/L8/40 STAC5/L49/23. CBP, ii, no 746. See chapter six, appendix nos 37, 38. Thomas Clavering was reported to the privy council for ruthlessly evicting an old soldier from Buckton in 1589, but such accusations were rarely heard. APC, xviii, p. 217.
85. Enclosure did not necessarily signify agricultural improvement. It merely indicated that a ditch or hedge had been used to encircle the land.
86. ALN MS AI/1/f f. 34 AI/1/g f. 13.
87. SP15/28/80 f. 238. CBP, i, nos 75, 181.

Boulmer. By 1601 most of the common fields of Northumberland had been enclosed or divided,⁸⁸ but this little pleased the ninth earl of Northumberland, who realized that the gentry were exploiting the commons against the interests of his tenants. He therefore ordered his bailiffs to pull down the enclosures at Thirston, Shilbottle and Chatton in 1602 and ordered the cattle belonging to the gentry to be impounded from⁸⁹ Lucker, Houghton and Rennington commons. However the earl's actions were a little too late to prevent damage to his tenants, as the gentry had been exploiting his commons since 1567 or earlier.

A 1597 Act of parliament against enclosure included Northumberland, but it was exempted from this Act in 1601. This action came too late to reverse the damage of depopulation, which had been happening for⁹⁰ decades. The government had ironically encouraged enclosure in the English Eastern Borders in 1555 as a defence mechanism against the Scottish reivers. It was true that ditches would hinder the path of these thieves, but the expense of enclosing the land was to be met by the tenant. This signalled instant failure for the scheme, as the Northumbrian tenantry were too impoverished to afford it. The gentry later adopted the practice well away from the Border for their own profit, rather than for Border defence, making a mockery of the government's⁹¹ intentions.

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88. ALN MS AI/1/e f. 16. Butlin, op cit., pp. 159-60. Thirsk, op cit., pp. 27-8.
89. ALN MS DI/1 f. 14 SYON MS AII/8 f. 248. M.E. James, *Estate Accounts of the Earls of Northumberland, 1562-1637*, SS, clxiii (1948). See chapter two pp. 139-42.
90. J.E. Neale, *Elizabeth I and her Parliaments*, i, pp. 339, 344-5. S.J. Watts, op cit., pp. 48-50.
91. BL Cotton MS, Caligula B, v, ff. 53-5. Stat 2 & 3 Ph & M. c.1; 23 Eliz c.4. The Act was revived in 1561 and 1581 without success. CSP For, 1561-2, nos 360, 370, 439, 503, 680.

There was one other aspect of Border tenure that was open to abuse by the resourceful local gentry. The leases granted to tenants were supposed to conform to the government suggestions that they should be of twenty-one or even forty years duration, to benefit the tenant's ability to defend the Border by avoiding many entry fines.⁹² Many of the local gentlemen signed an agreement in 1561 promising to give all their tenants twenty-one year leases, but they typically disregarded this in practice as they did⁹³ all other directives intended to benefit their tenant's Border defence.

The oppression in Northumberland was predominantly carried out by the gentry against their English tenants, but there was one instance where the tenants were accused of malpractice. In 1554 Edward Bradford complained that the tenants of Embleton did not grind their corn at his mill and⁹⁴ hunted without his licence. This type of evasion was also a problem for the lairds. William Home of Prendergust and William Home had trouble at Eyemouth and Coldingham in 1568 and 1598.⁹⁵ Sometimes the distance between the mill and the tenant's lands was cumbersome, for the tenants of Home of Wedderburn at Darnchester and Ladykirk were bound by their tenure to take⁹⁶ their corn five miles to the east mill at Kimmerghame. Distance, however, may not have been the problem at Embleton, Eyemouth and Coldingham as millers were known to overcharge tenants at times.

Oppression of tenants was not unknown in Scotland, but it was on a much smaller scale than in Northumberland and North Durham. There were cases of eviction at Longnewton in 1561 and 1574, as well as at Edington in

92. CPR, 1563-6, pp. 182-3, 213-14. CSP For, 1561-2, no 440.

93. SP59/5 ff. 3-4 SP59/17 ff. 144-5.

94. DL1/33/B15 DL14/6/69.

95. GD267/27/78. HMC, Milne-Home, nos 450, 452, 460.

96. GD267/31/16.

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1589. Andrew Pringle of Galashiels even tried to evict a fellow laird, John Pringle of Wrangholm, from Smailholm Tower in 1578 and Lady Home of Wedderburn was attacked by her tenants of Kimmerghame in 1584 for an unknown reason.⁹⁸ There was no equivalent of Border tenure in Scotland, so the lairds did not have the same pressures to override an outdated land system.

Crop and animal husbandry were practically the same on both sides of the Border as the Eastern Borders had the same topography of upland pasture suited to livestock and lowland river valleys geared to grain production, but Northumberland had, in addition, a fertile coastal plain. Climatic conditions were the same with bad harvests in 1555-6, 1565, 1577 1585-7 and 1594-8.⁹⁹ The 'Little Ice Age' that began in 1550 badly affected agricultural production through its long and severe winters.¹⁰⁰ Wet summers also hindered grain production and made grain imports into Scotland a necessity for much of James VI's reign.¹⁰¹ The Merse and the Northumbrian plain were very fertile and well suited to cereal production, including wheat, which amazed some commentators and earned the admiration of others who thought that the north of England and Scotland were too cold

97. GD150/1147 GD150/1425. Laing Chrs, no 1186.

98. CS7/71 f. 351. HMC, Milne-Home, no 588.

99. Lythe, op cit., pp. 15-23. P.C. Waite, The Land of Britain, xiv - Berwickshire, pp. 1-19. R. Newton, The Northumberland Landscape, chapter one. R.A. Butlin, 'Field Systems of Northumberland and Durham', in Baker and Butlin, eds., Studies of Field Systems in the British Isles, pp. 93-144.

100. H.H. Lamb, The Changing Climate, pp. 10-11. T.B. Franklin, A History of Scottish Farming, pp. 102-03. This cold cycle may also have lowered cultivation levels in south-east Scotland. M.L. Parry, 'Changes in the Upper Limit of Cultivation in South-East Scotland, 1600-1900'. Edinburgh Ph.D 1973, p. 192.

101. Devine and Lythe, op cit., p. 101. There were shortages throughout the century. L & P Hen VIII, xviii, no 682.

for growing wheat.¹⁰² The basic field system in Scotland was the infield and outfield, but Northumberland did not conform to any set system as it had wide variations of cultivation.¹⁰³ Inventories are an excellent source for identifying which crops grew in the Eastern Borders, but only the Scottish inventories estimate the yields of these crops.¹⁰⁴

In 1568 when there was a bad harvest oats were expected to yield a ratio of 1:2.5, wheat and bear 1:3 and peas 1:2 at Holydean near Melrose.¹⁰⁵ However in better years wheat usually yielded 1:4 or 1:4.5, oats 1:3, bear 1:4 and peas 1:4 or 1:5. Rye, where it was grown returned 1:4.¹⁰⁶ The yields in the Eastern English Borders are stated as oats 1:5 and barley 1:3, by S.J. Watts, but as English inventories do not give any information on yields it is more probable that their correct ratios were nearer the Scottish conclusions as the growing conditions were very similar.¹⁰⁷ Peas and beans were grown less in Northumberland than in Scotland, but they were not 'rare' as Watts suggests, as they appear in a

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102. L & P Hen VIII, xx, pt 2, no 458. J. Speed, The Theatre of the Empire of Great Britaine, p. 89. P. Hume-Brown, Early Travellers in Scotland p. 60. Lesley, History, i, p. 98. CSP Spain, 1580-6, no 470.
103. Lythe, op cit., pp. 9-10. Watts, op cit., p. 44. R.A. Dodgshon, Land and Society in Early Scotland, chapters five and six. Butlin, op cit., pp. 93-144. I.D. Whyte and G. Whittington, An Historical Geography of Scotland, chapter six. G. Whittington, 'Field Systems of Scotland', in Baker and Butlin, op cit., pp. 530-579.
104. Raiding does not seem to have unduly affected the agriculture of North Durham, contrary to S.J. Watts, op cit., pp. 41-3.
105. CC8/8/1 f. 144.
106. These ratios are found in inventories for 1586 (Roxburgh), 1587 (Billie), 1589 (Cranshaws and Little Swinton), 1590 (Ayton) and 1598 (Cowdenknowes). CC8/8/16 f. 96 CC8/8/18 ff. 143-4 CC8/8/21 f. 71 CC8/8/22 f. 120 CC8/8/31 f. 38. The yields seem poor when compared to 1980s ratios of approximately 1:48 for wheat, 1:33 for barley (bear), 1:20 for oats and 1:10 for peas, but conditions were very different in the sixteenth century.
107. Watts, op cit., p. 45. For instance the inventories of Roger Widdrington of the Friars and Sir William Reed of Fenham list the crops sown and their total value, but there is no indication of the amount of grain actually sown. DPRW 1572, 1604.

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number of inventories.

The highest areas of the Eastern Borders were used for transhumance. These areas were known as shieling grounds (summer pastures) and were used mainly by cattle, driven up there in May or June to return in late August. This practice was generally beneficial as it allowed hay to be made on the lowland pastures and helped prevent cattle disease.¹⁰⁹ The level between the shielings and the river valleys was probably used all year round for breeding sheep and cattle, whilst the river valleys and the coastal plain of Northumberland were predominantly arable with intermittent common pastures or land that had been converted from arable to pasture. The lairds and gentlemen who lived in the arable zone seem to have bought cattle and sheep from landed men living in the intermediate area, to fatten them for market. For instance George Nisbet of that Ilk who owed £42 Scots to William Pringle of Torwoodlee in 1577, for lambs.¹¹⁰ Wealthier gentlemen who owned numerous properties, such as Sir Cuthbert Collingwood, could breed their own cattle and sheep on higher ground¹¹¹ before taking them to coastal pastures for fattening.

There was a ready market for lairds and gentlemens' cattle and sheep, as flesh was in demand locally and their skins, wool and fells were profitable export commodities.¹¹² Exports were at a high level in the 1530s, but they declined in the 1540s and did not reach a peak again

108. DPRW 1572, 1587 (3), 1588 (1).

109. Franklin, op cit., p. 65. Thirsk, op cit., iv, p. 22. Disease did however occur at Chatton in 1580. CBP, i, no 47.

110. CC8/8/6 f. 392. The lairds were also known to lend oxen amongst themselves. RPC, i, p. 493.

111. Thirsk, op cit., iv, pp. 26-7.

112. I. Guy, 'The Scottish Export Trade, 1460-1599', in T.C. Smout, ed., Scotland and Europe, pp. 62-82. C. Wilson and G. Parker, An Introduction to the Sources of European Economic History, pp. 47-8.

until the 1590s. The landed men's interest in livestock was, however, sustained throughout the sixteenth century. Other livestock recorded in inventories included pigs, oxen and bees, but they would have been concerned with domestic consumption and ploughing rather than the production of surplus goods for sale.¹¹³

The marketing of the lairds' foodstuffs was principally through local market centres such as Melrose, Kelso, Jedburgh, Duns and Eyemouth, but there was also a thriving smuggling trade across the Border as well the option of trading in Berwick.¹¹⁴ Lairds who lived more than twelve miles from Edinburgh were not constrained as to how they could market their grain, unless it was for export, so David Home of Ninewells and James Home of the Style chose to deliver their cereals to Eyemouth harbour in 1586, to be uplifted by John Fortune, a merchant of Edinburgh.¹¹⁵ The gentry utilized the cross-border smuggling trade as well, but they would normally have used Berwick or Alnwick as a market centre.

The rental generated by leasing land and the sale of agricultural surpluses on both sides of the Border would have accounted for the bulk of the landed men's annual income, but a few had alternative sources of income that supplemented their landed income.

III. Alternative Sources of Income.

The lairds and gentlemen gained non-agricultural income from a variety of sources including domestic and Border offices, pensions, forfeitures, wardships, coalmines and fisheries. The actual salaries paid to the lairds and gentlemen holding domestic offices are mostly unrecorded, but

113. SS, ii, p. 366.

114. I.D. Whyte, Agriculture and Society in Seventeenth Century Scotland, pp. 182, 225. See chapter seven pp. 431-39.

115. RD1/35 f. 176 RD1/47 f. 407. RPC, iii, pp. 464-5.

an under-sheriff in England received £10 p.a. and Sir Cuthbert Radcliffe¹¹⁶ complained that he was underpaid as constable of Alnwick in 1539. In Scotland Sir James Home of Cowdenknowes bemoaned the 'great charges' not repaid to him as captain of Edinburgh Castle, but conversely the Cockburns of Langton were accused of exacting excessively high fees as ushers of the¹¹⁷ White Rod.

The fees paid to Border officials are better documented. On the Scottish side of the frontier payments to the wardens of the East and Middle Marches were sporadic in the second half of the century,¹¹⁸ but they would have been around £100 Scots p.a. and £50 Scots for the deputy wardens. The wardens had their salaries augmented by pensions to compensate for the inflation of the era, but the level of this supplement¹¹⁹ was inconsistent as Lord Home received a £400 Scots pension in 1564¹²⁰ whilst Sir Thomas Ker of Ferniehirst had £1000 Scots p.a. in 1585. There were some additional payments to the Scottish wardens, as Lord Home obtained £20 Scots for searching out individuals summoned before the Privy Council from his March.¹²¹ In the English Marches basic Border salaries were also static throughout the sixteenth century, but unlike Scotland there were fewer opportunities for augmenting these salaries against the effects of inflation. This led to numerous pleas of impoverishment by those in office, particularly towards 1600, when salaries were in arrears

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116. L & P Hen VIII, xiv, pt 1, no 151. CSP For, 1562, no 1393. The English sheriff's job was not lucrative either. See chapter two, pp. 165-67.
117. CSP Scot, x, no 595. J.H. Stevenson, 'The Usher of the White Rod', Scot Antiq, x, (1897), p. 161.
118. T.I. Rae, The Administration of the Scottish Frontier, 1513-1603, pp. 29-32, 250-2.
119. TA, vii, p. 479; x, pp. 244, 304, 331, 393; xi, pp. 54, 88, 167, 512-5. HMC, Salisbury, ii, p. 284. RPC, i, p. 278.
120. RPC, iii, p. 700. See p. 245.
121. NRAS859/134/4.

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by up to two years.

The warden of the English East March (who was normally governor of Berwick as well), usually received £466-13-4 p.a. whilst the warden of the Middle March had £333-6-8 (or 500 marks) p.a. The deputies typically earned £10 p.a., but in 1552 Ralph Gray of Chillingham received £333-6-8 as deputy of the East March while he was standing in for the warden and in 1540 a deputy earned £133-6-8. During wartime deputies were paid more as Sir Ralph Gray had ten shillings a day and Sir John Forster had thirteen shillings a day in the Middle March, but these were exceptions to the standard deputy's salary.¹²³ The slowness of payment led a frustrated Sir John Forster to detain crown rentals to the equivalent of his Middle March warden salary in 1590, but he was also due his salary of £26-13-4 as keeper of Tynedale and Redesdale and £6-7-0 as bailiff of Bywell for the crown.¹²⁴

The salaries due to the officers of the Berwick garrison were also static during the sixteenth century. John Selby of Twizel was paid £20 p.a. with normal profits (that is grazing and haymaking rights in the bounds of Berwick) as gentleman porter in 1551 and in 1573 his son Sir John Selby was still receiving £20.¹²⁵ Even when the two William Selbies shared this office the salary remained at £20, but an entry in the guild register notes that the gentleman porter was paid £184-23-4 p.a. in 1576, which is perhaps the real value of the office with its additional payments

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122. CBP, i, no 719; ii, nos 395, 925. HMC, Salisbury, i, p. 372; vi, pp. 23-4. CSP For, 1562, nos 268, 914, 996, 1012.
123. CPR, 1549-51, pp. 162-3, 404; 1550-3, p. 258; 1558-9, p. 411. L & P Hen VIII, xv, no 465. CSP For, 1559-60, no 349. Sadler Papers, ii, p. 21. See chapter two pp. 177-79.
124. CBP, ii, no 122. CSP Dom Add, 1580-1625, p. 311.
125. CPR, 1550-3, p. 53; 1572-5, p. 53.

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 in kind. The chamberlain and treasurer were consistently paid £20 and the captains of each garrison company, such as William Selby senior and Sir William Reed, received £105-18-8 p.a. The gentry received additional payments for duties such as riding into Scotland with letters, for which John Selby was paid £14, but Sir John Forster gained the largest reward for escorting the seventh earl of Northumberland from Alnwick to York for execution. Forster would probably have undertaken this task for nothing, considering the animosity between himself and the earl, but he was paid 127
 £154-11-4 for it. Finally there were the gentlemen pensioners of Berwick, who were paid three shillings per day in 1589 and twenty pence a day in 1593 and 1601. 128

William Selby senior (of Shoreswood) seems to have treated his offices at Berwick like a sinecure, as there were complaints that he had three concurrent salaries there in 1593, yet had been absent for two years. Selby had been favoured with these offices because of his military service in Ireland (for which he had been paid £100 in 1575) and, whereas the other pensioners received three shillings a day, he was paid five 129
 shillings. Sir William Reed combined offices in the garrison as well. He had his own company, like William Selby, and the office of captain and keeper of Holy Island and the Farnes. Reed was only paid £36-10-0 p.a. for the Holy Island office in 1555, but as a means of compensation he was granted the lucrative lease of the tithes of Holy Island parish, to be

126. BRO B6/11 ff. 26, 28. CSP Dom, 1598-1601, p. 306.

127. CBP, i, nos 19, 817. CPR, 1572-5, p. 465. CSP Dom Add, 1566-79, p. 424. Sadler Papers, ii, p. 9.

128. CC66/1301 m. 16. CBP, i, no 830; ii, no 1321. See chapter two p. 181.

129. C66/1301 m. 16. APC, viii, p. 361. CBP, i, no 830.

held in conjunction with the office. By 1600 his annual salary was a respectable £909-10-10 p.a. of which £362-17-4 was for Holy Island and £366-13-4 was from the tithes. This salary was envied by other ¹³⁰ impoverished garrison officers, who did not have tithe leases.

Pensions granted to the lairds and gentlemen varied from small amounts, like the twenty shillings given to John Ord as mayor of Berwick in 1576, to the much larger amounts granted to the lairds as political favours. For instance Lord Home received 10000 francs in 1560, whilst the Homes of Cowdenknowes and Ayton and the Kers of Ferniehirst amongst others gained ¹³¹ pensions of 500 or 650 merks from the revenues of the Border abbeys.

Lord Home's pension was not paid with any regularity because of its overseas origin, but the other lairds were paid their pensions annually ¹³² from the commendator of Kelso. These pensions were a useful boost to the landed income of the lairds, but they also proved to be beneficial to younger sons as well, such as William Home of Bassendean.

The lairds and gentlemen had occasional payments from sporadic events such as forfeitures and ransoms. Forfeiture (in the form of horning and poinding) ¹³³ was commonplace in the Eastern Scottish Borders as it was a convenient mechanism for collecting debts or enforcing an appearance at a law court. These forfeitures were usually short-term, but they would have inflicted some financial loss for the laird cited. In the Eastern English

130. CBP, ii, no 1308. CPR, 1554-5, pp. 119-20; 1560-3, pp. 251, 530; 1563-6, pp. 200-01. The tithes of North Durham were supposed to be granted to the garrison officers to help augment their salaries, but few were successful in obtaining them as the local gentry competed for them. See p. 209 above.

131. BR0 B6/11 f. 28. CSP For, 1559-60, nos 619, 623, 902. RSS, v, 336, 889, 890, 906, 962, 1003; vi, 945; vii, 56. HMC, Roxburghe, no 94. See chapter one pp. 95-97.

132. E48/1/1 ff. 228-9. TA, xii, p. 74.

133. P. Gouldesbrough, 'Formulary of Old Scots Legal Documents', Stair Soc, xxxvi, (1985), pp. 21-8

Borders forfeiture was normally for the serious crime of treason and not for trivial matters like debt. It therefore only affected the gentry¹³⁴ involved in rebellions such as the 1569 Northern Rising.

There are innumerable Scottish examples of forfeiture for petty offences throughout the sixteenth century, including Adam and John¹³⁵ Grahamslaw of Newton (1540 & 1566), Adam Ker of Dalcove (1552), Steven¹³⁶ Brounfield of Greenlawdean (1555), John Brounfield of Tenandry (1584),¹³⁷ Robin Ker of Ancrum (1587) and John Lumsden of Blanerne (1574). There were also forfeitures of lairds for the more traditional cause of treason, which benefited some lesser and greater lairds fortunate enough to be granted a part of the escheat of wealthy forfeiters like the fifth Lord Home, William Maitland of Lethington, the fifth earl of Bothwell and the earls of Angus. David Home of Fishwick, a younger son of the Homes of Blackadder, gained the East Lothian lands of Maitland of Lethington for¹³⁸ much of the 1570s and made a great fortune before he died. Lord Home's estates were granted to his former kinsmen the Homes of Manderston and Cowdenknowes, who fully exploited them before reluctantly handing them¹³⁹ back to the sixth Lord. The lands forfeited by Bothwell were never returned to him so the sixth Lord Home, William Ker of Cessford and Sir¹⁴⁰ Walter Scott of Buccleuch gained significantly from his Borders estates. Patrick Home of Polwarth also received part of the Bothwell escheat, but his temporary possession of some of the earl of Angus's lands was probably

134. Stat, 13 Eliz c. 16 i - ix. Most of these rebels were later restored. See chapter six pp. 406-11.

135. RSS, ii, 3611; v, 2706. TA, vii, pp. 375-6.

136. RDI/6 f. 222. RSS, viii, 1974; iv, 3165. TA, x, p. 10.

137. GD40/5/3/19. RSS, vi, 2283.

138. APS, iii, pp. 111, 162-3. RSS, vi, 1183.

139. RSS, vi, 2007. See chapter one pp. 109-110.

140. NRAS 859/5/10. RMS, v, 218, 2125. HMC, Home, no 316.

more lucrative.¹⁴¹ On a lesser scale were lairds such as Ferdinando Home of Broomhouse, who was forfeited to Alexander Home of Manderston in 1568, and Robert Pringle of Blindlee, whose escheat was granted to James Pringle of Buckholm in 1548.¹⁴² They were both restored within a short period and as their escheats were given to loyal kinsmen they may not have lost too much revenue, unlike Lord Home who found his so-called kinsmen grasping and greedy.

Alexander Home of Huttonhall established himself on an upwardly mobile path when he was allowed to keep £300 sterling for the ransoming of an Englishman called John Dudley in 1568.¹⁴³ Huttonhall was not alone in this alternative source of wealth, as ransoming was a commonplace occurrence in the Borders, but the amounts paid are rarely recorded. The gentlemen were also adept at gaining from the misfortune of others, as they were sometimes entitled to the estates of felons. This procedure was known as collecting 'felon's dues' and the recipient was usually the immediate feudal superior of the convicted felon. In 1591 Thomas Swinhoe, bailiff of Chatton, collected £13-10-0 from one felon and Sir John Forster¹⁴⁴ received £4-6-8 from a South Middleton felon in the same year.

Wardships were seen as another sombre, yet lucrative source of income for the gentry. Wardships were not easily obtained as Sir Cuthbert Collingwood had to pay £70 for that of John Swinburne of Edlingham in 1575 and Ralph Gray paid £120 for Robert Collingwood of Eslington's ward in 1598.¹⁴⁵ These two examples were founded in kinship rather than

141. RMS, v, 1974. HMC, Marchmont, no 81.

142. RSS, vi, 354; iii, 2676.

143. RPC, i, p. 606.

144. SYON MS CIV/3.

145. NRO ZSW6/18. Hatfield MS, C.P. Petitions 991.

profiteering, but Robert Roddam of Roddam's guardianship of Thomas Weetwood of Weetwood was profitable. Roddam paid only £3-6-8 for Weetwood's lands in 1571 when they were really worth at least £10 p.a.¹⁴⁶

Other gentlemen, if they did not succeed in gaining local wardships, were often leaseholders of the ward's lands. The Collingwoods of Eslington held the Collingwood of Etal lands, the Grays leased the Proctor of Shawdon lands and Sir John Forster, Sir John Selby and the Wallises of Coupland held the Gray of Chillingham lands.¹⁴⁷ The ward's lands were probably leased for agricultural rental only, but there were mineral leases in the Eastern Borders as well.

Coal mining was an important additional source of income for those who held these crown leases. In 1584 a lease to William Selby of Shoreswood specified that he could have 'all maner of mynes of coole, leade, iron and other metal' at Shoreswood, but it was probably only coal that was mined in the Eastern Borders.¹⁴⁸ There were small, unsophisticated mines in north Northumberland and North Durham at Etal, Ford, Dunstanburgh, Bilton, Shilbottle, Norham, Duddo, Thornton, Murton, Unthank and Kyloe that produced less than 5000 tons a year before 1603. There may also have been some mining near Ayton in the Merse, but all this mining was dwarfed when compared to the rich coal seams at Tyneside and Durham.¹⁴⁹ The rentals were therefore correspondingly low in comparison, such as 13s 4d paid by George Muschamp of Barmoor for Etal and the £2-6-8 by Sir John Forster

146. CPR, 1569-72, p. 239. See chapter one pp. 64-67.

147. WARD9/438 ff. 32, 48. WARD9/641 ff. 9, 11.

148. D & Ch. Reg, 5, e, ff. 40-1.

149. J.U. Nef, *The Rise of the British Coal Industry*, i, pp. 19, 25, 40-4, 52. M.E. James, *Family, Lineage and Civil Society*, pp. 69-71, 86-96. Nef has underestimated the amount of working coalmines in the Eastern Borders before 1603 as there were mines at Gatherwick, Fenham and Bamburgh as well. C142/172/108. E310/21/109 f. 11 E310/21/112 f. 40.

for Bamburgh.¹⁵⁰ The coal produced in the Merse was perhaps used by the greater lairds, as Lord Home had three coal fires burning at Old Cambus in 1597 at a cost of £18 Scots. Nevertheless the majority of the population would still have used peat, as this was cheaper and more easily extracted.¹⁵¹ The English coal was mostly exported from Berwick, as there¹⁵² were complaints about coal being spilled on the highway there in 1599.

The remaining source of alternative wealth for the landed men of the area was from river and sea fishing.¹⁵³ The Tweed fisheries were undoubtedly profitable for local merchants and gentlemen, who often held joint leases of them. However they were typically reluctant to pay their rental to the crown as £374 was outstanding in 1574, for three years rent of the fishing called 'Newatter'.¹⁵⁴ The other fishing grounds were all carefully named in leases such as Crale, Elstell, Outwaterstell and Stark Olstell, which were all leased by Sir John Selby of Twizel.¹⁵⁵ On the Scottish side of the Tweed many of the salmon rights originally belonged to religious houses and were subsequently leased to local lairds, such as Sir John Ker of Hirsel at Lessuden (Dryburgh Abbey) and Alexander Home of Manderston at Tillmouthhauch (Coldstream Priory).¹⁵⁶

The non-agricultural wealth of the lairds and gentlemen therefore came from a variety of sources. Exactly how much of their annual income was made up from alternative sources is difficult to gauge. The men with the

150. E310/21/112 ff. 11, 12, 25, 40. R.P. Sanderson, Survey of the Debateable and Borderlands, 1604, pp. 128-33.

151. STAC5 S81/2. NRAS 859/6/2.

152. BRO C1/3.

153. Shipwrecks were another illicit source of income from the sea. See chapter seven pp. 442-23.

154. E178/1723. The Tweed fishing rights had mostly belonged to the Dean and Chapter of Durham before the were ceded to the crown in 1560.

155. C66/1326 m. 30. NRO 452/D1/14.

156. RMS, iv, 2140; v, 450.

most power and influence in the area would have earned more from their office-holding than many lesser landed men earned in total from their lands. These sources were basically a supplement to their existing landed income, but forfeitures and pensions could be substantial. The estimated income of each stratum of the lairds and gentlemen now needs to be investigated and compared, where sources permit.

IV. Comparative levels of wealth.

Finding a realistic source for comparing the wealth levels of the lairds and gentlemen is very difficult, but inventories are a reasonable indicator. Many inventories have survived for the Eastern Borders at the Probate Registry at Durham and at the Scottish Record Office, but they have certain disadvantages. English and Scottish inventories concern only the moveable goods of the deceased and therefore make no mention of their lands, with the exception of the crops growing or harvested there. The inventories do not give a reliable guide to the total wealth of an individual either, as totalling was often inaccurate, goods could have been omitted or distributed before appraisal to the widow and heir and the goods were priced at their second-hand value, which may have been less than the laird or gentleman paid for them.¹⁵⁷ Inventories, despite these discrepancies, nevertheless remain a useful source for evaluating the

157. N. & J. Cox, 'Probate Inventories: the legal background', The Local Historian, xvi (1984), pp. 133-45, 217-27. J.S. Moore, 'Probate Inventories: Problems and Prospects', in P.J. Riden, ed., Probate Records and the Local Community, pp. 11-28. M.H.B. Sanderson, Scottish Rural Society, pp. 172-8. Yorkshire inventories were similar to Northumberland, P.C.D. Brears, 'Yorkshire Probate Inventories, 1542-1689', YAS, record ser, cxxxiv (1972). The inaccuracy of some of the Scottish inventories was recognized by contemporaries as wills were sometimes re-registered e.g. Sir James Cockburn of Langton CC8/8/6 & CC8/8/13 and George Pringle of Wrangholm CC8/8/4 & CC8/8/5.

comparative wealth of the lairds and gentlemen and they can be supplemented by land rentals, tochers, mercantile debt records, household accounts and the evidence of housebuilding to gauge the standard of living of the landed families. There is, however, a persistent difficulty with the ever-changing exchange rate of the pound sterling and the pound Scots. In 1560 there were £4 Scots to £1 sterling, but this had deteriorated to £6 : £1 in 1576 and continued to slide to £7-6-8 : £1 in 1582, £10 : £1 in 1594 and £12 : £1 in 1603.¹⁵⁸ These changes have to be remembered when making cross-border comparisons from the following tables.

Table Three. The Personal Estates of the Gentry.*

Name and Date	Moveable Goods	Debtors	Creditors	Total Estate
Knights and esquires				
Thomas Haggerston of Haggerston 1545	135	-	-	135
Thomas Swinburne of Edlingham 1572	223	-	-	193
Isabel Gray of Chillingham 1581	701	871	179	1393
Robert Clavering of Callaly 1583	377	-	40	337
Thomas Forster of Adderstone, younger 1587	145	64	14	195
Sir John Selby of Twizel 1595	292	82	177	197
Sir Cuthbert Collingwood of Eslington 1597	533	546	241	838
Thomas Collingwood of " 1597	350	-	-	350

* All the figures have been based solely on inventories and have been rounded off to the nearest pound sterling. The dates indicated are that of the appraising of the inventory rather than the time of death. The goods include all listed household stuffs, crops and farm implements. The debtors are all those listed as owing money to the deceased given as a total and the creditors are all those known to be owed money by the testator, again given as a total. The total estate figure is derived by adding the goods to the debtors and subtracting the creditors. The sources used are DPRW and SS, ii, xxxviii, cxii, cxvi, cxxi, cxliii. The references for each gentleman are in the appendix of chapter two.

158. S.G.E. Lythe, *op cit.*, pp. 101-02. J. Gilbert, 'The usual money of Scotland and exchange rates against foreign coin', in D.M. Metcalf, ed., *Coinage in Medieval Scotland*. British Archaeological Reports, no 45 (1977).

Sir John Forster of Bamburgh 1602	1020	-	-	1020
Sir William Reed of Fenham 1604	448	-	-	448
William Haggerston of Haggerston 1606	218	33	118	133
Nicholas Forster of Bamburgh 1608	824	-	-	824
Gentlemen				
Gerard Selby of Pawston 1549	84	138	-	222
John Carr of Hetton 1551	87	16	105	-2
Odnel Selby of Tweedmouth 1555	34	20	77	-23
Ranold Forster of Capheaton 1565	99	77	139	37
John Selby of Twizel 1565	240	-	-	240
William Selby of Grindonrig 1570	30	-	27	3
Ralph Collingwood of Titlington 1570	81	10	12	79
Roger Widdrington of the Friars 1572	480	165	10	635
John Carr of Lesbury 1574	327	-	104	223
George Harbottle of Cawledge 1577	25	?	?	38
Richard Middleham of Alnmouth 1577	3	-	-	3
Mark Horsley of Screnwood 1581	42	-	4	38
John Gallon of Cawledge Park 1583	25	-	-	25
Michael Harbottle of Tughall 1585	40	86	46	80
Odnel Selby of Hulne Park 1586	65	-	-	65
George Carr of Lesbury 1587	50	-	-	50
John Carr of Lesbury 1587	327	-	104	223
William Clavering of Duddo 1587	127	52	35	144
George Middleham of Alnmouth 1587	57	20	44	33
Robert Muschamp of Gatherwick 1587	58	-	-	58
Thomas Weetwood of Weetwood 1587	45	14	33	26
Ralph Selby of Berwick 1588	28	-	-	28
John Carr of Hetton 1589	63	-	77	-14
Richard Ord of Horncliffe 1589	43	41	38	46
James Wallis of Coupland 1589	38	1	2	37
William Wallis of Akeld 1589	125	13	57	81
William Collingwood of Barton 1590	64	-	11	53
Henry Gray of Newminster 1597	730	172	124	778
Ingram Salkeld of Alnwick West Park 1598	52	-	-	52
William Collingwood of Kimmerston 1603	28	-	12	16
James Swinhoe of Berrington 1603	224	-	-	224
Luke Ogle of Eglington 1604	97	-	-	97
John Collingwood of Abberwick 1605	96	-	139	-43

Table Four. The Personal Estates of the Lairds.*

Greater Lairds

John Swinton of that Ilk 1564	22	133	65	90
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* Based on the same formulation as table three. Dates refer to the time of registration of the inventory at the commissary court, rather than the death of the testator. The figures are in pound Scots rounded off to the nearest pound. Based on the testaments CC8/8 and CC15/5, none of which are published, or predate 1564. See the appendix of chapter one.

X Denotes the inventory of a laird's wife (whose goods were listed in conjunction with those of her surviving husband) or that of a laird's widow (which was probably only her third of the deceased laird's goods).

X Alexander, 5th Lord Home 1568	3504	-	1653	1851
Sir Andrew Ker of Hirsel 1573	5544	1219	56	6707
William Cockburn of Choicelée 1574	287	-	129	158
Robert Cairncross of Colmslie 1575	1870	1262	154	2978
Thomas MacDougal of Makerstoun 1576	1980	315	318	1977
Sir James Cockburn of Langton 1578	1984	30	579	1435
John Swinton of that Ilk 1579	3971	169	1175	2965
William Chirnside of East Nisbet 1581	2661	368	262	2767
Alexander Cockburn of that Ilk 1583	2289	160	136	2313
Sir Walter Ker of Cessford 1586	5901	-	1036	4865
Andrew Pringle of Galashiels 1587	1817	170	-	1987
James Cockburn of Choicelée 1587	992	-	161	831
John Renton of Billie 1588	4858	280	313	4825
Thomas Cranston, fiar of Corsbie 1589	744	160	32	902
William Cockburn of Langton 1590	2842	-	452	2390
George Home of Ayton 1590	5479	1068	396	6150
X Sir David Home of Wedderburn 1591	1034	206	148	1092
George Cranston of Corsbie 1592	2265	207	1852	620
Cuthbert Cranston of Thirlestane Mains 1592	1726	-	637	1089
Alexander Home of Huttonhall 1594	4651	5361	4501	5511
X Patrick Home, fiar of Ayton 1595	570	667	3015	-1778
Sir James Home of Cowdenknowes 1598	7545	712	11814	-3587
John Cranston of Morriston 1599	1468	843	4568	-2257
Andrew Ker of Faldonside 1599	2967	1345	306	4006
Robert Lauder of that Ilk 1599	868	5	36	837
John Maitland of Thirlestane 1599	6005	9094	235	14864
Patrick Home of Polwarth 1600	4531	-	774	3757
X Alexander 6th Lord Home 1608	11049	1980	9515	3514
Lesser Lairds				
Mr Andrew Home of Lauder 1568	103	747	207	643
William Craw of Flemington- Fluris 1571	1882	228	245	1865
George Home of Edrom 1573	698	1678	129	2247
William Linlithgow of Drygrange 1574	355	39	-	394
David Spottiswoode of that Ilk 1575	1919	486	40	2365
George Pringle of Torwoodlee 1576	1292	540	71	1761
X Robert Dickson of Hassington 1576	507	10	53	464
James Brounfield of Nether Mains 1576	363	-	30	333
Robert Haig of Bemersyde 1576	75	-	-	75
Henry Haitlie of Mellerstain 1576	470	112	641	-59
Alexander MacDougal of Stodrig 1576	1126	-	768	358
X George Pringle of Blindlee 1576	946	47	177	816
Andrew Brounfield of Pittlesheugh 1577	312	-	24	288
Alexander Home of Carolside 1577	1667	-	-	1667
Richard Ker of Gateshaw 1577	162	617	629	150
George Pringle of Wrangholm 1577	696	16	107	605
X David Ellem of Renton 1578	667	-	449	218
Adam French of Thornydykes 1579	809	-	-	809
William Pringle of Torwoodlee 1579	1976	375	132	2219
X Robert Home of Reidheuch 1579	1192	601	1517	276
Patrick Sleigh of Cumledge 1579	1123	533	-	1656

X Archibald Auchinleck of Cumledge 1580	671	8	563	116
John Pringle of Wrangholm 1580	1091	506	800	797
Mark Haliburton of Mertoun 1581	1801	-	-	1801
David Home of Fishwick 1581	3968	-	-	3968
Andrew Redpath of Rowchester 1581	300	478	666	112
William Ker of the Yair 1582	513	-	104	409
Andrew Ker of Linton 1582	380	32	26	386
James Spottiswoode of Whinrig 1582	284	-	12	272
Thomas Trotter of Fogorig 1582	266	-	156	110
Oliver Edgar of the Flass 1586	627	38	417	248
X David Lumsden of Blanerne 1586	618	160	361	417
James Hamilton of St John's Chapel 1586	529	-	433	96
Alexander Pringle of Slegden 1586	1258	-	-	1258
John Hamilton of St John's Chapel 1588	1166	505	37	1634
William Spottiswoode of Quhitlie 1588	665	-	95	570
David Home of Cranshaws 1590	8324	205	48	8481
George Crow of Flemington- Fluris 1591	3668	1240	1400	3508
John Dickson of Belchester 1591	842	44	147	739
X David Edington of that Ilk 1591	2138	349	653	1834
X Thomas Ker of Maisondieu 1591	765	135	446	454
Lancelot Ker of Little Newton 1593	400	32	343	89
James Pringle of Whytbank 1593	1244	-	400	844
Richard Spence of Chirnside Mains 1592	1202	-	491	711
James Crow of Gunsgreen 1595	1345	-	240	1105
Thomas Ker of Mersington 1595	1711	11	389	1333
James Ker of Middlemist Walls 1596	1224	2837	-	4061
David Home of the Law of Coldingham 1597	1833	1126	172	2787
X Mr John Shoreswood of Bedshiel 1598	1094	36	882	248
X Charles Cairncross of Allanshaws 1599	1372	-	45	1327
Alexander Cockburn of Caldra 1599	511	-	42	469
Alexander Cockburn of Stobswood 1599	741	248	125	864
Alexander Haitlie of Lambden 1599	1264	2035	189	3110
X John Home of West Reston 1599	2193	-	1436	757
John Lumsden of Blanerne 1599	2062	-	2009	53
Thomas Pringle of Wrangholm 1599	1612	808	-	2420
X Alexander Trotter of Chesters 1599	991	-	152	839
Alexander Home of Carolside 1600	787	-	-	787
William Spottiswoode of that Ilk 1600	1082	20	48	1054
X George Cranston of Kirkhill 1601	825	80	209	696
Henry Haliburton of Mertoun 1601	4059	549	1444	3164
Patrick Cockburn of East Borthwick 1601	4862	484	6378	-1032
X John Ellem of Butterdean 1602	1484	400	1090	794
Robert Dickson of Buchtrig 1603	1783	-	935	848
David Edington of Harcarse 1603	2762	689	927	2524

John Ellem of Bassendean 1603	779	-	-	779
John Haitlie of Mellerstain 1603	4199	5167	239	9127
Robert French of Thornydykes 1605	2491	128	153	2466
X David Home of Ninewells 1605	1623	62	1041	644
John Edgar of Wedderlie 1606	2541	146	1030	1657
Ralph Erskine of Shielfield 1606	1151	120	1640	-369
Simon Redpath of Angelrow 1606	884	38	537	385

The personal wealth of the greater lairds and the knights and esquires was sometimes equivalent, even with the lapses noted about inventories taken into consideration. For instance Robert Clavering of Callaly's £387 estate of 1583 was similar to Alexander Cockburn of that Ilk's £2313 Scots (£317) of the same year and in 1597 Thomas Collingwood's £350 was close to Andrew Ker of Faldonside's £4006 Scots (£364). Amongst the strata of lesser lairds and gentlemen there were wider variations across the Border, but occasional parity is possible. In the early 1580s Mark Horsley of Screnwood's £38 and John Gallon of Cawledge Park's £25 were roughly equivalent to James Spottiswoode of Whinrig's £272 Scots (£37) and Andrew Redpath of Rowchester's £112 Scots (£15). At the time of the Union of the Crowns James Swinhoe of Berrington's £224 was approximately the same as David Edington of Harcarse's £2524 Scots (£210). These proximations show that some of the landed men in the Eastern Borders had a similar standard of living, but they had the same problems of debt as well.

On the English side of the frontier at least four gentlemen died in debt, including two generations of the Carrs of Hetton who lost their estates by mortgaging and bad management. John Collingwood of Abberwick's debt was probably caused by his recusancy fines.¹⁵⁹ On the Scottish side of the Border, there were at least six lairds who were registered as 'debita' at the commissary court, but this could be deceptive as the wife

159. CP25/2/192/16 & 17 Eliz/MICH. CPR, 1569-72, p. 352. See chapter five, p. 329 and appendix no 47.

of Patrick Home of Ayton's testament was deliberately registered as a debt to avoid having to pay the commissaries their 'quotta' (a fee based on a percentage of the inventory that was not charged if the inventory was 'debita'). However, the other debtor lairds were either over-indulgent or in trouble with their lands. John Cranston of Morriston and Sir James Home of Cowdenknowes belong to the first category as they left large bills unpaid to Edinburgh merchants.¹⁶⁰ The Haitlies of Mellerstain belong to the second category of debtors,¹⁶¹ but there were other small lairds who were not in debt yet still left pathetically small inventories, such as Robert Haig of Bemersyde. Haig had infested his son and heir in his lands,¹⁶² leaving him with very little income.

At the other end of the wealth structure there were some outstandingly successful lairds and gentlemen whose inventories were far above the average. In England the traditionally wealthy Grays of Chillingham were rivalled by the newer Collingwoods of Eslington and Forsters of Bamburgh who had made their fortunes out of advantageous marriages, monastic land grants and offices.¹⁶³ In Scotland the established laird families such as the Lords Home, the Homes of Ayton and the Kers of Cessford were also equalled in wealth by newer families like the Kers of Hirsell and Middlemist Walls, the Homes of Fishwick and Huttonhall and Maitland of Thirlestane, who also gained prosperity from offices and monastic land.¹⁶⁴

160. Cowdenknowes owed £1440 Scots to James Purves, flesher, perhaps from his incumbency as captain of Edinburgh Castle or through sheer indulgence and Morriston owed £53 Scots to an Edinburgh baxter for bread. CC8/8/32 ff. 381-2 CC8/8/33. CSP Scot, x, no 595.

161. See pp. 222-23 above.

162. CC8/8/4 f. 84.

163. See chapter two appendix, Collingwood and Forster.

164. See chapter one appendix for the above lairds.

The average wealth of the greater lairds in table three was £2512¹⁶⁵ Scots in a range from £90 to £14864 and the average for the lesser lairds was £1263 Scots in a range from £53 to £9127. When compared nationally the inventories of the greater lairds were impoverished when compared to that of the Earl Marischal (£44153 Scots in 1600) who married the sixth Lord Home's sister, but some of them were certainly wealthier¹⁶⁶ than Lord Somerville (£1284 Scots in 1576). At a local level there were several men below the rank of lairds whose inventories were higher in value than some of the lesser lairds. They included prosperous tenant farmers like Robert Anderson in Kelloe (£878 Scots in 1597), John Home in Chirnside (£358 Scots in 1588), William Pringle in Mersington (£1259 Scots¹⁶⁷ in 1587) and Robert Hopper in Nether Stichill (£875 in 1598).

The average wealth of the gentry was £787 for the knights ranging from £197 to £1020; £310 for the esquires ranging from £135 to £824 and £107¹⁶⁸ for the gentlemen, who ranged from £3 to £778. In comparison to the¹⁶⁹ merchants of Newcastle these averages are low, but this comparison is unfair for it is unclear if the merchants owned any land (which is not mentioned in inventories) and they may have concentrated their wealth in household goods and coinage instead. However, when the gentry's inventories are compared to the local yeomanry clear discrepancies appear

165. Negative balances are included in the average, but they are excluded from the range cited.

166. CC8/8/35 CC8/8/4 f. 47. The nobility had approximately 16-20 chalders of victual p.a, (256-320 bolls). CSP Scot, xiii, pt 2, no 906. For a comparison to merchants see M.H.B. Sanderson, 'The Edinburgh Merchants in Society, 1570-1603; the Evidence of Testaments', in Cowan & Shaw, eds., The Renaissance and Reformation in Scotland, pp. 182-199.

167. CC8/8/29 ff. 468-9 CC8/8/19 ff. 146-7 CC8/8/17 f. 225 CC8/8/31 ff. 337-8.

168. The Yorkshire gentry ranged from £248 to £3000. Cliffe, op cit., pp. 380-1.

169. William Jenison had an inventory of £4059 in 1587. DPRW 1587 (1).

between the lesser gentry and some prosperous yeomen. For instance Richard Strother of Coldmartin had £71 in 1586, Thomas Grame of Coupland £93 in 1603, Thomas Younghusband of Budle £28 in 1587 and Cuthbert Watson¹⁷⁰ of Bamburgh £44 in 1598.

Inventories are therefore a helpful guide to the wealth of the lairds and gentlemen, even with their disadvantages, but they do not give any indication of their annual income. Sources for the landed income of the lairds are scarce, but there is reasonable, if inaccurate, information about the gentry. Inquisitions post mortem and recusancy rolls often undervalued the gentry's income for deliberate avoidance of wardship dues and fines, so the following table is approximate and it should also be remembered that their lands were mostly sublet at higher rentals.

Table Five. The Approximate Landed Income of the Gentry.

Name and Date	Annual income	Reference
John Roddam of Roddam 1556	£28	C142/108/80
Robert Lisle of Felton 1558	£80	C142/112/121
Elizabeth Carr of Ford 1560	£76	C142/131/159
Robert Collingwood of Eslington 1561	£81 (£100)	WARD7/88 WARD9/438 f. 34
Sir Ralph Gray of Chillingham 1565	£301	C142/141/71
Robert Lawson of Rock 1565	£21	C142/143/31
William Carr of Ford 1570	£64	WARD9/438 f. 50
Thomas Ilderton of Ilderton 1579	£27	C142/186/47
Robert Beadnell of Lemmington 1583	£11	C142/201/96
Edward Gray of Howick 1584	£200	CSP Dom Add, 1580- 1625, p. 118.
Sir Thomas Gray of Chillingham 1591	£303	C142/231/82
John Radcliffe of Thropton 1591	£7	E377/1
Michael Hepburn of Hepburn 1591	£20	E377/1
Francis Radcliffe of Dilston 1591	£300	E377/1
John Swinburne of Edlingham 1591	£100	E377/1
William Selby of Twizel 1591	£200	NRO ZHG1/14
Ralph Gray of Chillingham 1597	£380	CBP, ii, no 762

170. DPRW 1586 (2). DDR, ii, 5, f, f. 55. DPR Bond 1587/432. DPRW 1598 (2).

These figures are mostly based on land held in chief (knight service) or socage tenure (freehold), which were not a true reflection of their sixteenth-century value. For instance Sir Thomas Gray of Horton only paid £8 a year for Newstead and two shillings for Doddington, whilst Robert Roddam paid 14s-8d for Little Houghton.¹⁷¹ The inaccuracy of these figures is reflected in the report that Sir Ralph Gray of Chillingham could spend 600-700 marks a year in 1552 and his son Ralph had at least £1000 a year from his land rentals in 1591.¹⁷² A more realistic annual income for the northern gentry was estimated by Thomas Wilson in 1601. He stated that

northward and farr off a gentleman of good reputation
may be content with (£) 300 and 400 yerly.....

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compared to the £666-£1000 he appraised for the south of England.

Earlier estimates of how much the gentry's lands were worth in 1535 and 1540 included the number of horse they had available for Border service and are probably more accurate than the later records.¹⁷⁴

Table Six. Estimated Annual Income of the Gentry 1535-40.

Name and Date	Income	Horse
Gilbert Swinhoe of Cornhill 1535	20 marks	20
Henry Collingwood of Etal 1535	"	30
Robert Collingwood of Bewick 1535	£5	20
Gerard Selby of Pawston 1535	£10	20
Thomas Collingwood of Ryle 1535	10 marks	16

171. E164/37 ff. 134, 105.

172. CSP Dom Add, 1547-65, p. 417. CRS, liii, (1969), p. 57. A mark was worth 13s-4d.

173. Sir Thomas Wilson, 'The State of England', in Camden Misc, xvi, (1936), pp. 23-4. Wilson probably overestimates for the rest of England. D.M. Palliser, op cit., p. 96. G.E. Mingay, The Gentry, pp. 11-14.

174. BL Cotton MS, Caligula, B, vi, ff. 518-19. L & P Hen VIII, ix, no 1078.

Percival Selby of Biddlestone 1535	50 marks	30
Edward Gallon of Trehitt 1535	£20	24
Sir Cuthbert Radcliffe of Cartington 1540	£200	110
Sir Roger Gray of Horton 1540	100 marks	40
Sir Robert Ellerker 1540	"	--
Thomas Gray of Kylvie 1540	20 marks	--
Thomas Forster of Adderstone 1540	£20	12
Robert Collingwood of Eslington 1540	£40	30
John Carr of Hetton 1540	£20	12
Thomas Carr of Newlands 1540	£8	4
William Strother of Kirknewton 1540	£20	12
Thomas Holburn of Holburn 1540	20 marks	6
Thomas Hepburn of Hepburn 1540	£20	8
Richard Fowberry of Fowberry 1540	20 marks	6
Edward Muschamp of Barmoor 1540	5 marks	-
Ralph Ilderton of Ilderton 1540	£20	20

The gentry's income from land was less than their counterparts in the south of England, but they were probably not as impoverished as they appeared. Their profit-based land management would have boosted their income, but as this was illegal there are no records of exactly how much income they obtained from this circumvention of Border tenure. Officially it was better for the gentry to plead poverty to lower gressums on crown leases and avoid taxation.

The wealth of the lairds is difficult to judge beyond the inventory evidence, as there is no detail of exactly how much they made annually from their lands. However there are occasional references to their standard of living as Godscroft noted that

the gentlemen of the Borders abounded with men,
those in Lothian rather abound in wealth and riches.

Godscroft's comment was an ambiguous generalization, because having men must have denoted some status and wealth in the Eastern Borders. It is also unclear if he considered his own family wealthy or poor as their lands straddled both Berwickshire and East Lothian and his father was

noted as a Home 'of good living' in 1566. References to 'good' living lairds do not give any indication of their financial state, but it presumably denoted a comfortable lifestyle in comparison to lairds of 'some' living like Robert Frisell in 1599 and a lesser standard of living¹⁷⁶ than Sir John Ker of Hirsell who was 'a man of great living' in 1589.

The lairds were however generous when they married their daughters, so their tochers (anglice dowries) are a perhaps a better indication of their disposable income. Tochers were irrevocably linked to power and prestige, but they still help to indicate the wealth levels of the lairds, regardless of the few lairds who may have come near to financial ruin to provide tochers by being overly impressive to the other party in a marriage contract.

Table Seven. The Tochers of the Lairds' Daughters.*

Name and Date	Amount (£ Scots)	Reference
Barbara Home of Cowdenknowes 1557	£1000	RD1/2 f. 87
Margaret Ker of Ferniehirst 1559	5000 merks	RD1/3/2 f. 272
Euphamie MacDougal of Makerstoun 1561	800 "	RD1/4 f. 147
Marion Lauder of Whitslaid 1561	240 "	RD1/4 f. 432
Marion Pringle of Whytbank 1561	800 "	RD1/4 f. 265
Katherine Home of Blackadder 1562	£1000	RD1/7 f. 192
Margaret Pringle of Galashiels 1563	1200 merks	RD1/4 f. 144
Christine Pringle of Blindlee 1563	£1000	RD1/5 f. 411
Helen Edmondston of that Ilk 1566	600 merks	RD1/8 f. 393
Margaret Sinclair of Blainslie 1570	1000 "	RD1/11 f. 306
Janet Home of Manderston 1574	1000 "	RD1/13 f. 254
Isobel Home of Wedderburn 1575	3000 "	RD1/14 f. 7
Isobel Home of Polwarth 1576	1000 "	RD1/16 f. 92
Jonet Ellem of Renton 1576	400 "	CC8/8/6 f. 136
Margaret Ramsay of Wyliecleuch 1579	800 "	RD1/17 f. 8
Margaret, daughter of the 5th Lord Home 1581	8000 "	RD1/19 f. 180

* See chapter one, appendix for their husbands. The dates refer to the signing of the contract.

176. CSP Scot, x, no 53. HMC, Salisbury, i, p. 335; ix, p. 17.

Margaret Cairncross of Colmslie	1579	600	"	RD1/20/2 f. 446
Elspeth Ker of Kippilaw	1587	800	"	RD1/24/1 f. 259
Margaret Ker of Cessford	1586	10000	"	RD1/26 f. 34
Agnes Lauder of Whitslaid	1587	£1000		RD1/28 f. 237
Katherine Home of Fans	1589	800 merks		RD1/30 f. 237
Isobel Pringle of Galashiels	1591	2000	"	RD1/43 f. 230

The lairds were conscious both of the prospective husband's wealth and status and the seniority of their daughter when agreeing a tocher. Greater lairds such as the Kers of Ferniehirst and Cessford were clearly emulating the nobility in their gifts, but lesser lairds like the Pringles of Blindlee and the Homes of Blackadder were equally magnanimous with their £1000^{Scots} provision in the 1560s considering that the Lauders of Whitslaid could only afford this amount in the 1580s.¹⁷⁷ The actual payment of tochers is quite revealing of the lairds' liquidity, as John Edmonston of that Ilk paid 600 merks to Henry Haitlie of Mellerstain within a month in 1566, but Sir John Home of Cowdenknowes did not pay Robert Cairncross of Colmslie £1000^{Scots} until nine years after his daughter Barbara's wedding in 1557.¹⁷⁸

The payment of tochers was undoubtedly a serious drain on the lairds' finances as few had large amounts of ready cash to hand.¹⁷⁹ Bairns'

177. There is less information about gentry dowries, but Dorothy Gray of Chillingham had 800 marks in 1572 and Anne Collingwood of Eslington also had £1000 in 1572. The Strothers of Kirknewton received 1000 marks from the Conyers of Sockburn in Durham, but Ann Ord of Longridge's £100 dowry was never paid as her contract was broken in 1590. REQ2/164/119. NRO 1DE/1/162 1DE/4/11 ZSW1/194. Laing Chrs, nos 1195, 1214.

178. RD1/8/ff. 383, 395. RD1/2 f. 87 RD1/7 ff. 379. At other times a lapse in payment may only signify a long time between the contract and the wedding.

179. John Home of Cowdenknowes had cash of 800 merks in 1548, but his son was less opulent when arranging Barbara's tocher. Other lairds who had good sums of cash in hand included Gilbert Home, tutor of West Reston (£336 Scots) and Thomas MacDougal of Makerstoun (£529 Scots), but these amounts were perhaps only temporary and not necessarily available when a tocher was agreed. CC8/8/10 ff. 131-3 CC8/8/4 f. 46. RSS, iv, 2255.

portions and thirds were an additional burden for the heir of a laird. Bairns' parts were given from the residue of the deceased goods which was divided equally amongst the sons and daughters, after the heir and the widow had claimed their share. These portions were approved by the commissary court and were supposed to be strictly adhered to. For instance, the five children of George Pringle of Torwoodlee (1568) were to be given £352 Scots each by their brother William, but he had not honoured¹⁸⁰ the bairn's part due to Agnes before she died in 1576. The slowness of payments was predictable as a laird's heir could not be expected to immediately sell all his father's goods, but if he took too long friction¹⁸¹ was created between him and his brothers and sisters. The payment of the widow's third was equally difficult for the heir and if his grandmother was still alive this led to further complications. For instance Margaret Ker of Cessford, who married Sir John Home of Cowdenknowes in 1524, was still living in 1595 and the Homes of Wedderburn¹⁸² had the same problem of female longevity in 1581. There could, however, be harmony as well as acrimony in these arrangements, for Alexander Home of Manderston peaceably agreed to accept a wadset of his mother's third of £80 Scots p.a. and also promised to pay the bairn's portions due to his¹⁸³ brothers and sisters in 1555.

If there were no widows or children to be satisfied an inventory should have been straightforward, but Alexander Pringle of Slegden was less than honest when he registered his wife's will in 1586. Pringle was

180. CC8/8/3 ff. 475-6 CC8/8/10 ff. 21-2 CC8/8/13 ff. 31-3.

181. See chapter six, appendix nos 111, 146.

182. CC8/8/33. See chapter six, appendix nos 83, 85, 103. A tocher was supposed to compensate for the provision of a widow's third, but if the lady in question lived to a great age inflation would have far outstripped this arrangement.

183. GD267/27/76.

the principal beneficiary of his wife, Isobel Home of Polwarth, so he deliberately undervalued her estate either to keep the quota low or to deceive her relations. Pringle's deception was discovered by Isobel's brother, Alexander Home of North Berwick, who re-registered the inventory at £1258 Scots, nearly twice its original value.¹⁸⁴ Pringle's motivation was probably his resentment of the Homes, as his father had been forced to sell Slegden to the Homes of Manderston in 1556 and he was now only a tenant there.¹⁸⁵ He was finally evicted by the Homes in 1591.

The wealth of the lairds can only be partially determined by inventories and tochers, as they do not take account of debts incurred and settled during the laird's lifetime that were unconnected to wadsets. Sir Thomas Ker of Ferniehirst amassed domestic and foreign debts during his exiles in France during the 1570s and 1580s. He borrowed from many people, often without repayment, like the 200 merks, £200,^{Scots} 100 merks and another £200,^{Scots} borrowed from his aunt Isobel Ker of Cessford¹⁸⁶ as well as the 1093.3 French crowns (£2733 Scots), 1500, 500, 300 and 500 French francs¹⁸⁷ loaned to him in Paris. Ferniehirst only wadsetted land as a last resort in 1581, but as his inventory does not survive it is unclear¹⁸⁸ how many of these debts were settled or how many more existed. It was not surprising that Ferniehirst was thought to be a 'poor' laird by his contemporaries.¹⁸⁹

184. CC8/8/15 ff. 331-4 CC8/8/16 ff. 279-81.

185. RD1/39 f. 38. NRAS 1351/22. RMS, iv, 1057. See chapter six, appendix no 135.

186. CC8/8/16 f. 97.

187. GD40/5/3/18 GD40/6/1/6.

188. GD40/1/312 GD40/3/415/1. RD1/20/1/1 ff. 78, 81. See chapter seven, p. 449.

189. CSP Scot, iii, no 84. His son Andrew had a better grasp of the family's finances, but he was not forced into exile. RMS, iv, 3015.

There were a number of lairds who, unlike Ferniehirst, were able to lend money to other lairds such as Alexander Cockburn of that Ilk, Robin Ker of Ancrum and John Lumsden of Blanerne, but the most active moneylender amongst the lairds was Alexander Home of Huttonhall.¹⁹⁰ Huttonhall gave loans to James Home of the Style, David Home of Godscroft, William Ker of Ancrum, Lady Home, Alexander Home of Manderston and George Auchinleck of Cumledge, but affluence could also be disadvantageous for the lairds as it made them more liable to be named as sureties for offenders. Robin Ker of Ancrum, for example, was penalized 500 merks for not entering some malevolent Elliots in 1583.¹⁹¹

The gentry were also afflicted with debts and debtors. Sir John Forster was even forced to mortgage a tithe lease after his loss of the wardenship of the Middle March diminished his influence and income.¹⁹² Forster did not pay his debts quickly, yet he expected his creditors to pay him promptly and took a deceased kinsman's executors to court in 1598 to force the payment of a £150 rent.¹⁹³ Forster's kinsman Ralph Gray of Chillingham was equally impatient with slow payment by the Delavals of Seaton Delaval, his kinsmen by marriage, in 1588, 1602 and 1603. An interesting correspondence¹⁹⁴ ensued between the two brothers-in-law in 1602 until Ralph finally sent John Horsley of Screnwood to collect the

190. CC8/8/26 ff. 180-1. RD1/20/2 f. 95 RD1/34 f. 398.

191. RPC, iii, p. 53. For similar examples see RPC, iv, pp. 408, 531, 554.

192. E134/3 Jas I/EAST 13.

193. BR0 C3/2. (Richard Forster of Tughall).

194. NR0 1DE/5/4 a-c 1DE/1/123 650/B/1602. Ralph Gray's brother Arthur was conversely slow to pay his rent to the Delavals in 1600. NRS, ix, pp. 152, 156, 159. The only surviving Scottish correspondence equivalent to the Gray-Delaval sequence was between Robert Swinton of that Ilk and Thomas Wolf of Weatherly in 1600. GD158/2788.

£200 owed or goods to that amount. This provocation severed their friendship, but Ralph had forewarned that he would use 'circumstance to presse' Delaval. Ralph had a dowry to find for his eldest daughter as well as legal expenses at the Court of Wards in London, but he was perhaps being a little over zealous as he was 'of great account, living and wealth' in 1598¹⁹⁵ and did not have the inherited problems of the sixth Lord Home to contend with.

Lord Home's estate was initially hampered by the English ransacking of Hume Castle and Dunglass in the early 1570s. Most of the household furnishing, including a charter chest, was destroyed or stolen and the crops were harvested by the occupying garrison.¹⁹⁶ Nevertheless Lord Home did not help his financial situation by indulging in luxuries from an early age. Whilst at St Andrews University in 1580 he spent £500 Scots within a few months and in 1582, when he was still only seventeen, he was noted for his great living and many friends.¹⁹⁷ His opulence embarrassed even his mother during a visit he made to Glamis Castle in 1583. As she was 'nocht weill provydit in sylwer work' Lady Home had to borrow silverware from a neighbouring laird, Sir James Ogilvy of Inverquharity, in advance of his arrival.¹⁹⁸ Lord Home's marriage in 1586 did not enhance his finances as his wife (Christian Douglas) was a widow with no tocher, except for her third of the Oliphant estates and she proved to be as spendthrift as her husband, owing an Edinburgh draper £320 Scots for her silks, taffeta, satins, tweeds and gowns in 1589-80. This bill did not include household linens, so the items were presumably for her own

195. CHL CAS DOCS, no 21. CSP Scot, xiii, pt 2, no 908.

196. NRAS 859/16/3. CSP For, 1572-4, no 531.

197. RD1/18/1/f. 2 RD1/19/f. 90. Bannatyne Misc, i, p. 68.

198. GD205/1/32.

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 beautification. Lord Home's lifestyle continued to be over-indulgent,
 for when he went to France in 1599 he allegedly took eleven horses and
 some dogs as a gift to the king, but pleaded poverty upon arrival at
 London as an excuse not to meet Elizabeth I.²⁰⁰ When Home had reached his
 majority in 1586 he was no longer constrained by curators or even by his
 older kinsmen and thus began to uncontrollably overspend, with the result
 that by 1592 he had to sell land.²⁰¹

Very few household accounts have survived from the sixteenth-century
 Eastern Borders, but accounts of Lord Home's expenditure at Coldingham
 Priory in 1592 and at Old Cambus in 1596-7 remain.²⁰² They bear witness to
 his comfortable standard of living, but he did not give exceptionally
 lavish entertainment for a baron. The sumptuary laws of Scotland allowed
 a baron to have four meat dishes at his table²⁰³ and Lord Home seems to
 have conformed to this as he bought beef, mutton, capons and wildfowl for
 Old Cambus in 1596. He supplemented this with herrings (that were
 presumably salted) for he bought 10000 on one occasion at a cost of £45
 Scots. Home was not overstretched financially at Old Cambus as his
 chamberlain, William Craw, satisfied all the bills from the teinds of Old
 Cambus. However, at Coldingham Home was extravagant, for he had just
 acquired the Priory from the forfeited earl of Bothwell and was probably

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199. NRAS 859/5/7. HMC, Home, no 43. By contrast the wife of John Renton of Billie only owed £20 Scots for tailoring and £12 for cloth in 1582. CC8/8/10 f. 229.
200. CSP Scot, xiii, pt 1, no 370. HMC, Salisbury, ix, p. 382. John Home of Cowdenknowes only took six horses to France in 1547. CPR, 1547-8, p. 247.
201. CC8/8/27 ff. 123-4. RD1/34 f. 369 RD1/49 f. 594 RD1/50 f. 336. NRAS 859/16/2. See pp. 220-21 above.
202. NRAS 859/6/2. HMC, Home, no 58.
203. APS, ii, p. 488.

eager to show off his new possession to his friends and kinsmen.

The household account for Coldingham records that Lord Home sent workmen into the priory very quickly after he gained it in August 1592, to renovate the house and set up furniture. The bills included £6-8-7 Scots for mending the chimney, £4-6-8 Scots for setting up four beds, £1-12-6 Scots for bedding and £6 Scots for cleaning the abbey. By 25 October Lord Home had taken up residence and he stayed for a month. Wine and 'aquavytie' were bought before he arrived and meat, fish and beer were regularly bought thereafter. A typical succession of the accounts (all in £ Scots) read

25 October -	Meal £4-10s, pepper 5s-4d, butter 3s-4d, onions 2s, 200 herring £1-12s, 200 oysters 13s-4d.
26 October -	a beef £6, mutton £1-16s.
27 October -	two muttons £3-6s.
28 October -	two muttons £1-16s, two nolt 11s-4d, fish 10s, eggs 2s-4d, 5lb plewindaimies (prunes) 16s-8d, saffron 12s, 4 oz ginger 8s, pepper 10s-8d, cinnamon 6s-8d, vinegar 6s-8d, 200 oysters 13s-4d.

Other greater lairds such as Sir James Home of Cowdenknowes, who had £2000 Scots worth of household goods, and Sir James Cockburn of Langton, who had five carcasses of beef, three stones of butter, a barrel of salt salmon, 3000 herring and fifty-two capons in his cellar in 1584, must have had a similar standard of living to Lord Home.

Robin Ker of Ancrum lost many household goods in 1573 during a feud with the Turnbells including £56-13-4 Scots worth of claret and white wine, fifty stones of cheese, silverware, flandersware, forty feather beds and 500 merks in 'white' money. Thomas MacDougall of Makerstoun similarly lost goods in a Border

204. NRAS 859/6/2. HMC, Home, no 95.

205. CC8/8/13 f. 306 CC8/8/31 ff. 381-2.

206. RPC, ii, pp. 269-70. See chapter six, appendix no 11.

raid in 1601, including pistols, a sword, handkerchiefs and silk garters, so the household goods of these greater lairds denoted their domestic luxuries. Lesser lairds also enjoyed fine clothes and foods, as Andrew Home of Lauder's inventory unusually specifies his clothing and David Home of Ninewells patronized local merchants in a manner similar to Lord Home, as he owed money for flesh, fish, wine, butter, spices and aquavita²⁰⁷ in 1600.

The expense involved in the keeping of a lairdly household was recognized in 1587, when a marriage contract specified that John Home of Cowdenknowes was to have 500 merks a year to keep a separate household from that of his father.²⁰⁸ This amount seems low compared to the standard of living enjoyed^{by} other greater lairds like Sir Walter Scott of Buccleuch, who exasperated William Selby of Twizel in 1598-9. Buccleuch was in Selby's custody for twenty-five weeks and cost him £10 sterling a week to entertain compared to the other Scottish pledges who only cost 10s-4d per²⁰⁹ week.

The standard of living amongst the gentry would have been similar, but with no household accounts surviving, comparisons are confined to²¹⁰ inventories. The gentry had featherbeds, linen, carpets, silver, flandersware and other furniture similar to the items in Scottish²¹¹ records. The greater gentry also enjoyed wine as Sir John Forster

207. CC8/8/1 f. 118 CC8/8/40 ff. 42-4.

208. RD1/36 f. 271.

209. CBP, ii, no 924.

210. There are fragments of accounts for the Grays of Chillingham, but they mostly list luxury items bought at London and servants expenses in travelling there, rather than everyday domestic purchases. CHL CAS DOCS no 21.

211. See John Selby of Twizel (1565), Roger Widdrington of the Friars (1572) and Sir William Reed (1604). DPRW 1560-9, 1572, 1604.

regretted that bad weather would not allow carriages of wine through to Hexham in 1555, so he had to inform his guest that he 'muste be content to drenke beare'²¹². Lesser gentry perhaps had simpler tastes as John Reveley²¹³ of Berrington had no wine in his house in 1563.

The lairds and gentlemen probably had the same amounts of household servants, with the greater men employing more people than the lesser landed men. The fifth Lord Home maintained his household even when he was besieged in Edinburgh Castle in 1573 as he had a brewer, a cook, two boys, a washer, tailor and a shoemaker in his entourage.²¹⁴ Beyond the expected bailies, stewards, grieves and household servants a few lairds had gardeners, such as John Swinton of that Ilk.²¹⁵ Sir Cuthbert Radcliffe had at least eighteen household men, whilst Luke Ogle had eight in 1539,²¹⁶ but this does not give any indication of how many women and children were employed. However in 1557, when the servants of Thomas Carr of Ford were forced to flee from his house during the Heron and Carr feud, there were five men and three women.²¹⁷

Another possible comparison of the wealth and status of the lairds and gentlemen was the cost and manner of their funerals. The costs of the lesser gentry were lower than those of the greater gentry as Roger Widdrington of the Friars (1572) was buried for £20, John Carr of Lesbury (1574) for £3-6-8 and Luke Ogle of Eglington (1604) for £20. Whereas Lady Dorothy Gray of Chillingham (1581) had a far more ostentatious funeral costing £100, Sir John Selby of Twizel (1595) was slightly more expensive

212. Sadler Papers, i, p. 590.

213. CSP For, 1563, no 112.

214. SP52/25/35 I.

215. CC8/8/21 ff. 72, 295. CC8/8/7 f. 13.

216. L & P Hen VIII, xiv, pt 1, no 652.

217. LAMB MS 696 ff. 83-4 MS 3195 ff. 3-10.

at £163 and Sir John Forster, true to his self-appointed eminence had a funeral costing £455.²¹⁸ The gentry were usually buried within a church and the Gray of Chillingham tomb was the most elaborate sculpture, dating from the fifteenth century.²¹⁹ The lairds were also buried within their local parish churches both and after the Reformation, for Thomas MacDougal of Makerstoun requested 'in the quier (choir) of macarston', Alexander MacDougal of Stodrig asked to be 'in the Ile (aisle)' of the same church, Andrew Pringle of Galashiels was to go 'in the abbay of Melros in his tomb maid there to himself to that effect' and Cuthbert Cranston of Thirlestane 'in the common sepulchrie of his foirbearis within the paroche kirk of Legerwood'.²²⁰ The Pringles of Whytbank were, like their kinsmen the Pringles of Galashiels, buried in Melrose Abbey. The Pringles perhaps thought the Abbey more prestigious than their local parish kirks, but they probably would have paid for the privilege as the commendator of Melrose received an unexplained 300 merk loan from Whytbank in 1564.²²¹

The actual cost of lairds' funerals is seldom recorded, but Alexander Home of Manderston's was £12 Scots in 1555.²²² The lairds do not seem to have indulged in pompous funerals of the style of the greater gentry, probably because of the spread of the Reformation in the Eastern Scottish Borders. For instance Alexander Home of North Berwick specified that he should be buried 'without vane pompe or ceremonie' in 1597 and Robert Lauder of that Ilk merely wished to be buried in the earth²²³ and did not even specify a kirk in 1598. The lairds' relative modesty in death was not

218. DPRW 1572, 1574, 1582, 1597, 1602, 1604.

219. NCH, xiv, p. 313.

220. CC8/8/4 ff. 30, 47 CC8/8/16 f. 346 CC8/8/24 f. 92.

221. RD1/7 f. 92. Both Pringle tombs are still extant in aisle chapels at Melrose.

222. GD267/27/76.

223. CC8/8/32 f. 75 CC8/8/33.

reflected in their housebuilding, which was a monument to conspicuous consumption in Scotland during the second half of the sixteenth century.

There was a stark contrast between the building activities of the lairds and gentlemen. Aside from the defensive necessity of building in a frontier zone, the lairds used housebuilding as a sign of their affluence in a time of agricultural prosperity. The gentry, however, did not build on the same scale as the lairds. They did make some improvements that have been previously underestimated, but their failure to build new houses is puzzling. They may have been intimidated by Scottish raiding, but the English incursions into Scotland did not hinder the lairds. Claims of impoverishment do not explain this phenomenon either, as the lairds had to pay taxes, whereas the gentry were exempted from taxation by Border tenure.²²⁴

The lairds' tax burden came from irregular parliamentary demands based on old extent, taxation of feuars lands after 1581 (also based on old extent), ecclesiastical taxation (the third) of their monastic lands and taxes on their teind leases. Taxation based on medieval land assessments was not burdensome, but it could mount up if a laird held land in chief and in feu, so there was some evasion by the lairds. In 1604 Lord Roxburgh was summoned for concealing land at Sprouston that should have yielded £24-6-8 Scots for the King's wedding in 1589 and the same amount for Prince Henry's baptism in 1594.²²⁵ Thomas MacDougal of Makerstoun was summoned in 1586 for not paying £20 Scots and John Rutherford was similarly chastised in 1599.²²⁶ The tax due from monastic land was a new impost that was more realistic to sixteenth-century values than the older

224. Stat, 34 & 35 Hen VIII c. 27.

225. RPC, vi, pp. 812-13. See chapter one pp. 36-37.

226. *ibid*, iv, p. 132; vi, p. 57.

taxes and was collected from resentful leaseholders by the commendators. Andrew Home, commendator of Jedburgh, proved reluctant to pay his abbey's third of £335 Scots between 1569 and 1572²²⁷ but lesser amounts were also grudged, as George Home of Wedderburn owed the commendator of Coldstream £14 Scots for his teinds of Darnchester in 1594.²²⁸

These Scottish taxes, although not heavy, would have affected the wealth of the lairds to some extent. Therefore it is surprising that they were the progenitors of new housing in the Eastern Borders. The lairds were merely following the fashionable wave of country-house building that took place across Scotland before 1603, that was characterized by a declining emphasis on fortification and a new awareness of aesthetics and domestic comfort.²²⁹ Defence was undeniably important near the Border, but the lairds' new buildings were not all towers or in a tower-house style. Alexander Home of Huttonhall built an imposing L-shape house at Huttonhall in 1573 that was only five miles from the Border and Sir Andrew Ker of Ferniehirst rebuilt Ferniehirst as a fortified house in 1598.²³⁰ Those lairds who did not rebuild seem to have improved their existing dwellings, as various Rutherfords owed a glazing wright £43 Scots in 1587²³¹ and the Homes of Polwarth and Cowdenknowes made 'new work' from existing monastic buildings at North Berwick and Eccles.²³² The following table of new buildings ranges from basic towers (Corbet), to fortified tower houses

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227. E48/1/1/ff. 216-20. RSS, vi, 2118. STS, 3rd ser, xliii, (1949), pp. x-xiii. The 'third' of benefices was instituted in 1562 to help fund the reformed church.
228. RPC, v, p. 625.
229. Devine and Lythe, op cit., p. 105.
230. D. Macgibbon and T. Ross, Architecture, ii, pp. 156-62; iv, pp. 193-9. APS, ii, p. 346.
231. RD1/30 f. 162.
232. RH15/19/118. Macgibbon and Ross, Architecture, iv, pp. 330-34.

(Greenknowe) and fortified houses (Holydean).

Table Eight. New Houses in the Eastern Scottish Borders.

Name and County	Laird	Date of completion	Reference
<u>Berwickshire</u>			
Huttonhall	Home of Huttonhall	1573	<u>Architecture</u> ,* iv, pp. 193-9.
Cowdenknowes	Home of Cowdenknowes	1574	<u>RCAHM</u> , Berwick, pp. 71-2.
Greenknowe	Seton of Touch	1581	<u>Tranter</u> **, i, p. 17.
Thirlestane	Maitland of Thirlestane	1595	<u>Tranter</u> , i, p. 24.
<u>Roxburghshire</u>			
Littledean	Ker of Littledean	1540	<u>Architecture</u> , iii, pp. 351-3
Riddell	Riddall of that Ilk	1567	<u>RCAHM</u> , Roxburgh, p. 256.
Corbet	Ker of Corbethouse	1572	<u>Architecture</u> , iii, pp. 423-5
Holydean	Ker of Cessford	1580	<u>RCAHM</u> , Roxburgh, p. 68.
Buckholm	Pringle of Buckholm	1582	<u>Tranter</u> , i, p. 130.
Hillslap	Cairncross of Calfhill	1585	<u>Tranter</u> , i, pp. 144-5.
Newton	Grahamslaw of Newton	1586	<u>RMS</u> , v, 1058.
Colmslie	Cairncross of Colmslie	1596	<u>RCAHM</u> , Roxburgh, pp. 292-3.
Ferniehurst	Ker of Ferniehurst	1598	<u>Architecture</u> , i, pp. 156-62.
<u>Selkirkshire</u>			
Gala	Pringle of Galashiels	1583	<u>Architecture</u> , v, p. 279.
Torwoodlee	Pringle of Torwoodlee	1601	<u>Architecture</u> , iv, pp. 209-10

* Macgibbon and Ross, Architecture.

** N. Tranter, The Fortified House in Scotland.

Other new building may have taken place from 1540-1603, but no architectural evidence survives.

The buildings usually conformed to the status of the laird, but tower houses can be deceptive. Greenknowe Tower, for instance, has a plain exterior with ten fireplaces within.²³³ Huttonhall was the epitome of a greater laird's house as it had a panelled dining room with an elaborate plaster ceiling that was used for entertaining Border commissioners on several occasions.²³⁴ Other greater laird's houses at Blackadder, Wedderburn, Manderston, Duns, Langton and Spylaw were also thought to be

233. P.W. Dixon, 'Fortified Houses on the Anglo-Scottish Border. A Study of the Domestic Architecture of the Upland area in its Social and Economic Context'. Oxford D.Phil. 1977, p. 203.

234. R. Marks, Burrell, pp. 109-10.

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suitable for the Border commissioners. They were probably substantial houses, but no architectural evidence remains to substantiate this.

Across the Border in north Northumberland and North Durham there was no new building of substance until after the Union of the Crowns, but this Jacobean affluence has obscured research into Elizabethan improvements. The local gentry were undoubtedly reticent about building expensive new houses in the style of the magnificent houses being built further south in England.²³⁶ They were perhaps scared that showing affluence so openly would make them liable to taxes, but they were not so impoverished as to be unable to make improvements to their houses. There were a few fortified manor houses in Northumberland before 1603, that were mostly alterations of older castles or monasteries, such as Alnwick Abbey, Clennell, Chillingham, Fenham and Ford. Some strongholds like Coupland Castle were still being built, but they were not the preoccupation of the greater gentry.²³⁷ Alnwick Abbey was replenished to a high standard by Sir John Forster after he had plundered lead, glass, panelling and iron from Alnwick and Warkworth in the wake of the Northern Rebellion.²³⁸ Forster's son Nicholas improved Bamburgh Castle around 1601, as a deceased local glazier left him eight sheets of glass 'for glasoning about his hous....'²³⁹ Clennell Tower was extended in 1568 with a new wing and

235. CBP, ii, no 1045.

236. D.M. Palliser, op cit., pp. 110-14. M. Girouard, Life in the English Country House, chapter four.

237. Elizabethan improvements are ignored by P. Williams, 'The Northern Borderland Under The Early Stuarts', in Bell and Ollard eds., Essays Presented to David Ogg, pp. 16-17 and R. Newton, op cit., pp. 97-101. A shortage of surviving Elizabethan buildings in the English Eastern Borders has not helped this situation.

238. CSP Dom Add, 1566-79, pp. 393-4. See chapter two pp. 190-91.

239. DPRW 1601 (Thomas Collingwood). Matthew Forster of Fleetham owed Collingwood twenty shillings, so he may have been improving as well.

elaborate plaster work and similar improvements took place at Chillingham,²⁴⁰ where a modest Elizabethan long gallery was constructed. Fenham had once belonged to Holy Island Priory, but Sir William Reed made it into a substantial gentleman's residence and was reported to want to spend £400²⁴¹ on building alterations there in 1575. Ford Castle's improvements have also been overlooked because of subsequent structural changes, yet there²⁴² was a new E-shaped structure built there between 1584 and 1589.

The Elizabethan improvements at Ford are remarkable considering that the Carrs of Ford were still embroiled in a feud with the Herons at this time and presumably needed thick walls more than an Elizabethan facade. Ford is therefore a clear example that the Northumbrian gentry were not as architecturally backward as they have previously been projected. The lack of large new houses cannot be adequately explained, though they did build smaller manor houses, such as Rowland Forster's at Lucker and the Lawsons²⁴³ of Rock at Rock. Their improvements to existing buildings were financially prudent compared to the cost of building a completely new structure, so the gentlemen were perhaps saving money or hiding their true affluence from authority. It is no longer acceptable to suggest that the gentry did not build grand houses before 1603, because of Scottish reivers

240. NCH, xiv, pp. 337-9; xv, p. 434. N. Pevsner, The Buildings of England - Northumberland, p. 124.

241. DPRW 1604. Nothing remains of this house, but Reed's inventory is lavish by local standards and lists the many rooms including the bedchamber, governor chamber, great and little chambers, gallery, gallery chamber, hall, nursery, parlour, still house, brewhouse, wine cellar, servants chamber, milkhouse, ox and cow house, butterie, larder, pasterie, scullery, various lofts, a long stable and a barn. CSP Dom Add, 1566-79, p. 495. James VI visited Fenham in 1603, see chapter seven p. 452.

242. The castle needed £300 worth of repairs in 1584 and this may have been the result. Pevsner, op cit., pp. 154-5. Bates, op cit., p. 307.

243. ALN MS AI/1 f. 9. Bodl Lib, Northumberland Rolls no 2.

and poverty, for the lairds were in a similar defensive situation and possibly a worse financial state, yet they still managed to build new houses on a wide scale.

The true levels of wealth amongst the lairds and gentlemen remain an enigma, despite all the evidence presented. Wealth and status generally intermingled, but it is difficult to determine exactly how rich or poor they really were in local terms. The English land market favoured the gentlemen who managed to secure leases of monastic and crown land. The wealth of the gentry increased overall during the sixteenth century, but there were a few losers as well. In Scotland the wealth of many lairds was equally enhanced by the availability of broadly similar monastic and crown land, although the processes by which they were obtained were different, and there was a broader cross-section of landed men holding these lands by 1603 than there were in the Eastern English Borders. The lairds had financial problems as well, but the wider availability of credit through wadsetting helped many of them survive troubled times. The rising price of agricultural products certainly benefited both lairds and gentlemen, as their principal source of wealth was land, but it was the gentry who gained most from rentals with their harsh land management. Border tenure was overridden with surprising ease by the gentry, who were more concerned with profit than the defence of the Borders. Overall the lairds and gentlemen quietly prospered from their lands and agriculture, but those lucky enough to have an alternative source of income could further enhance their wealth. The actual wealth of these families can only be surmised, rather than judged correctly, from obscure sources such as inventories, contemporary estimates of income, tochers and

housebuilding. Nevertheless it is clear that many did enhance their wealth relative to their status on both sides of the Border from 1540-1603.

CHAPTER FOUR

EDUCATION, CULTURE AND PASTIMES IN THE EASTERN BORDERS

The lairds and gentlemen of the Eastern Borders had a higher level of education and appreciation of culture than has previously been recognized. This was particularly true of north Northumberland and North Durham, where the inhabitants were supposedly 'backward and warlike' according to contemporaries. In 1583 Sir John Forster informed Walsingham¹

We that inhabite Northumberland are not acquaynted
with any lerned and rare frazes.....

Forster was an old man in 1583 and had probably been educated to some extent in the 1530s before the boom in higher education of the second half of the sixteenth century. Forster omitted to tell Walsingham that many of his younger kinsmen were well educated, so he was deliberately perpetuating the myth that the local gentry were backward and untaught. In the nineteenth century Macaulay referred to the barbarism of the north in the late eighteenth century and specifically to upland Northumbrians whom he described as²

a race scarcely less savage than the Indians of California.....
half naked women chanting a wild measure, while the men
brandished dirks danced a war dance.

The persistent image of the Borders as a wild, violent area has also precluded much discussion of culture there. M.H. Dodds still referred to a backward Tudor north in 1915 and W.R. Prest continued this perception in 1972.³ The north may not have been at the forefront of knowledge, but

1. CBP, i, no 180. CSP Scot, ii, no 668. W. Camden, Britannia, p. 799. J.Speed, op cit., p. 89. Both D.L.W. Tough The Last Years of a Frontier, p. xiii and B. W. Beckingsale, 'The Characteristics of the Tudor North', NH, iv (1969), pp. 79-83 recognize the image as false.
2. T. B. Macaulay, History of England, i, pp. 213-14.
3. M.H. & R. Dodds, The Pilgrimage of Grace, ii, p. 227. W.R. Prest, The Inns of Court Under Elizabeth I and the Early Stuarts, p. 36.

this does not mean that the area should be generalized as an ignorant backwater either.

There have been similar oversights on the Scottish side of the frontier. The accomplishments of David Home of Godscroft and the poets Patrick and Alexander Home of Polwarth have been recognized, but they are rarely connected to their native Borders. It is conceivable that their achievements have always seemed incongruous to writers obsessed with the violence of a frontier zone. Northumberland had a talented family of poets as well in the Ildertons of Ilderton. These lairds and gentlemen were the products of a general improvement in educational standards in the Eastern Borders. Younger sons gained the most from this upsurge in education and entered a variety of careers, which helped them greatly if they had no lands of their own to depend on. The completion of the education of many lairds and gentlemen was found in their acquiring expertise in sporting pursuits such as hunting and hawking, which were enjoyed by many landed men.

I. Education and Literacy.

Sources about the education of the lairds and gentlemen of the Eastern Borders are not plentiful, yet there is enough evidence to suggest that schooling of whatever form was increasingly important to them. There was a tremendous expansion of educational facilities in England and Scotland⁴ during this period owing to the influences of humanism and Protestantism. This meant that landed men preferred to educate their sons in their own household or at a grammar or lairds' school, rather than in a noble house.

4. M. Dowling, Humanism in the Age of Henry VIII, chapter six. R.A. Houlbrooke, The English Family, 1450-1750, pp. 32-4.

In England education began at about seven years of age and between nine and twelve years boys would have gone to grammar school or had latin instruction from a tutor. In 1588 John Carr of Lesbury asked his wife to bring up their children 'in learning and vertuous exercises' and educate their younger sons James, Lancelot and Thomas at 'gramer schoole'. Robert Muschamp of Gatherwick similarly asked the supervisors of his will to keep his eldest sons John and Edward 'at schole' and the wills of Humphrey Lisle of Dunstanburgh, James Swinhoe of Berrington and Thomas Swinburne of Edlingham all specify schooling for their children. Edmund Craster of Craster left 'my scholmaster Sir Thomas' ten shillings in his will.⁵

Recusant families in Northumberland favoured household tutors for their children as the Bradfords of Bradford and Forsters of Fleetham were censured for having unlicensed teachers in their houses. The Grays of Chillingham sent their sons to 'scole' until the late arrival of the Reformation took hold of education in the region and forced them to employ a tutor. The backward image of the area was supported by the lack of public school teachers between Alnwick and Berwick, but the high incidence of recusancy in this area would have led to a proliferation of private tutors in place of local schools.⁶

The grammar school referred to by John Carr was undoubtedly at Alnwick. Alnwick grammar had, like many other English grammar schools, formerly been a grammar school run by a chantry priest that was refounded after the 1547 Act for the abolishing of chantries came into force. It was then funded by a direct annual payment of £4-1-6 from the Court of

5. DPRW 1575, 1587 (1), 1588 (1), 1603 (2); Reg vi, ff. 219-220. NCH, ii, pp. 69-70. SS, ii, p. 371. Craster's teacher was probably Thomas Benyon, rector of nearby Embleton in 1565. N. Orme, English Schools in the Middle Ages, pp. 116-117.

6. C142/141/31. DDR, ii, 4, f. 94. See chapter five pp. 326-33, 340-41.

Augmentations, which was part of the former chantry's endowment. Thomas Thompson, one of the former priests was appointed as 'scholemaster'. There had in fact been two schools at Alnwick prior to 1547 'thone for gramer and thother for synge', but the song school closed. Alnwick attracted pupils from a wide area, but there were also three teachers in Berwick in 1578. However only one teacher, Aristotle Knowsley, was thought to be competent and fortunately he was still there in 1604. There were also grammar schools at Morpeth, Newcastle and latterly at Hexham and they may have attracted gentlemens' sons from north of the Coquet.⁷

North Northumberland and North Durham therefore had some elementary educational facilities which were comparable to another northern shire, Yorkshire.⁸ Elizabethan propagandists, however, were determined to enforce their impression of backwardness in the area to prove, perhaps, a need for 'godliness'. A typically anonymous report of 1597 maintained that

in theire yonger yeares they (the children) shall not fynde
so mutche as a gramer schoole in all Northumberland.

Hexham grammar school was only just being founded in 1597, but the others at Alnwick, Morpeth and Newcastle were functioning at this time.⁹

7. E319/1/20. CSP Dom, 1598-1601, pp. 214-15. CSP For, 1560-1, no 683. CPR, 1550-3, p. 384. There is no reason to suggest that the Chantries' Act had a disastrous effect on Northumbrian education as M.B Joyce advocates, for few of the chantry priests were teachers. M.B. Joyce, 'Catholic Education in Sixteenth Century Northumberland,' Northern Catholic History, ii, (1975), pp. 9-15. See also J.W. Fawcett, 'Early Schools in Northumberland', Proc. Soc. Antiq. Newcastle, ix, (1919), pp 264-5. H. Pollard, 'Some aspects of the History of Education in the area of Northumberland, 635-1600', Durham (Newcastle) M. Ed, 1952. J. Simon, Education and Society in Tudor England, p. 244. R.F. Tuck, 'The Origins of the Royal Grammar School Newcastle Upon Tyne', AA, 4th ser, xlvii (1968), pp. 229-271. B.N. Wilson, 'The Changes of the Reformation Period in Durham and Northumberland', Durham Ph. D, 1939, p. 641. There were medieval schools at Alnwick, Hexham and Norham. N. Orme, *op cit.*, pp. 295, 305, 311 and chapters 9 & 10.
8. J.T. Cliffe, The Yorkshire Gentry, chapter four.
9. CBP, ii, nos 746, 881. This blatant propaganda is misquoted by Lawrence Stone in An Open Elite?, p. 48.

Some of the local gentry sent their sons outwith the county for education; Thomas Ilderton of Ilderton went to Eton College in 1552, Thomas Haggerston of Haggerston seems to have been taught at his grandfather's in Lancashire in 1602 and a son of Richard Forster of Tughall actually crossed the Border to attend the High School at Edinburgh in 1595.¹⁰ Forster may have sent his son there because of a cross-border friendship between his kinsmen and the Homes of the Merse, or through the personal recommendation of an Edinburgh merchant they traded with. This alliance certainly proved beneficial as Forster became involved with the infamous High School riot of September 1595 and was rescued by Lord Home.

The High School riot provides a rare opportunity to notice the other pupils there at the time. They included some Borderers noted as being gentlemen's sons such as Robert Pringle, a younger son of Whytbank, Raguel Bennet of Chesters and a Kirkton. They were all subsequently pardoned for their participation in the riot, during which a prominent bailie, John Macmorran,¹¹ had been fatally shot.

Many Border lairds believed in educating their sons at school in an analogous manner to the Northumbrian gentry. However, in Scotland, there had been an Act of parliament in 1496 that had ordered all barons and substantial freeholders to send their eldest sons to grammar school from the age of eight and to keep them there until they were conversant with Latin. This was beneficial for by the second half of the sixteenth century the Scottish lairds valued educating not just their heirs, but their younger sons as well. The lairds mostly sent them to schools outwith

10. CBP, ii, nos 1496, 1497. W. Sterry, The Eton College Register 1441-1698, p. 113 (vide Elderton).

11. SP52/57/31. APC, xxv, p. 153. CSP Scot, xii, nos 17, 30. RPC, v, pp. 236-8. Edin Recs, v, pp. 138-9, 147-8. Chambers, Domestic Annals, pp. 261-5. Dalryell, Fragments, ii, p. 35. Pitcairn, Trials, i, pt 2, pp. 349, 362. See chapter seven pp. 446-7.

the Borders as the best schools were essentially urban and there were only parish schools locally that were increasing in number, but were not centres of academic excellence.¹² Distance was never an obstacle to the Scot requiring a good education and it was prestigious for the lairds to send their sons to the schools at Edinburgh and Dunbar. Walter Ker of Littledean had to specifically promise to send his ward Henry Haitlie of Mellerstain to 'the scoles outwith Tewedaill and the Mers'. There was no discernible difference between the education sought by upland Middle March lairds and the more peaceable East March lairds, as they all wanted their sons educated.¹³ The most fashionable school in the 1570s was Dunbar grammar, owing to the outstanding teacher, Andrew Simpson, but by the 1590s the Edinburgh High School had supplanted it with Mr Alexander Home's brilliant teaching of Latin. The Homes of Wedderburn and Polwarth and the Spottiswoodes of that Ilk sent their sons to Dunbar. Boarding was¹⁴ essential for instruction and David Spottiswoode's inventory has debts

To robert suthre in dumbar for half ane yeir burding of Johne Spottiswood his sone ten punds. To Janet Murray for the burds of uther twa his sons twentie punds.

No records survive of the Homes' boarding expenses, but when James Pringle of Galashiels was eight his tutors testamentars insisted that he be

12. G. G. Simpson, Scottish Handwriting, pp. 11-12. J. Durkan, 'Education in the Century of the Reformation', in D.M. Roberts, ed., Essays on the Scottish Reformation, 1513-1625, pp. 145-168.

The references to local schoolmasters certainly increased towards the end of the century - 1582 Mr Patrick Hamilton schoolmaster in Duns, 1588 Mr John Home schoolmaster in Eyemouth, 1590 Mr Alexander Watson in Coldingham, 1593 Laurence Neilson in East Reston, 1595 George Sprott in Eyemouth (later of Gowrie conspiracy infamy), 1601 John Duncan at or near Dryburgh and 1602 John Oswald in Coldingham. CC8/8/41 f. 70. RD1/21 f. 3 RD1/48 f. 5 RD1/49 f. 440. HMC, Milne-Home, nos 384, 425, 526. Scott, Fasti, ii, p. 36.

13. RD1/20/2 ff. 89-91. APS, ii, p. 238. Chambers, Domestic Annals, p. 94.

14. CC8/8/3 f. 332. T. McCrie, The Life of Andrew Melville, ii, pp. 298-9. The amounts are in £ Scots.

placed in burding in the hous of david hoppringle hypothecar
in edinburgh and to be put to the scolis of education....

Some lesser lairds could not afford to send their sons to fashionable schools as Alexander Trotter of Chesters owes 'William Currie in Dunc¹⁵ for buirding of his bairns' £10-13-4 Scots.

The lairds also employed household tutors for pre-school teaching of sons and for educating daughters, but some were employed in lieu of boarding at a school. For instance the Redpaths of Angelrow had their own schoolmaster in 1600, the young William Ker of Cessford had a 'pedagog' in 1602 and the Homes of Wedderburn received pre-school tutoring in Latin along with their step-cousin George Ker of Linton at their grandfather's¹⁶ house at Elphinstone in East Lothian.

Some of the daughters of the lairds and gentlemen were not forgotten about in educational matters as the first humanist education manual to be read in England had advocated education for men and women - The Governour (1531) by Sir Thomas Elyot. It is therefore not surprising to find Jane Alder being tutored in 1587, Jane Widdrington of the Friars signing her own name in 1572 and Rebecca Collingwood of Eslington staying at a recusant household in Durham for education in 1595.¹⁷ In Scotland the the educationally progressive Homes of Polwarth and Wedderburn believed in educating their daughters and even interfered with the education of the Cranston of Corsbie grandchildren.¹⁸ The evidence of this female education comes from signatures on documents, such as the fifth Lord

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15. CC8/8/33. CS7/116 ff. 195-6, 198-9, 234. David Pringle was a prominent burgess, see pp. 302-04 below.
 16. CC8/8/40 f. 36. NRAS 859/5/10 859/11/7. Godscroft, De Familia, pp. 59-61.
 17. DPRW 1572, 1587 (1). CRS, liii (1970), p. 49. The changeover from medieval to Renaissance styles of education is discussed by N. Orme, From Childhood to Chivalry, chapter seven.
 18. GD16/37/8. See chapter one appendix.

Home's daughters, Margaret and Isobel, in 1555 and 1596, Barbara Home of Cowdenknowes in 1565, Isobel and Margaret Home of Wedderburn in 1579 and 1575 and lastly Margaret Home, granddaughter of Patrick Home of Polwarth.¹⁹

It is difficult to determine whether signatures denoted a basic education or rigorous classical instruction at university level, but they all signified a degree of literacy amongst the lairds and gentlemens' children. It is probable that the majority of the sons of landed men in the Eastern Borders went to school or received education at home by 1600,²⁰ considering the general interest in education at this time.

At the level of higher education there was a marked difference between the lairds and gentlemen as few Northumbrian gentlemen went to university or the inns of court in London, yet many lairds' sons went to university in Scotland and on the continent. The reasons for this are obscure and can only be surmised, but it was not necessarily a sign of backwardness in Northumberland as relative impoverishment, the demands of Border service and recusancy would have contributed to the small number of matriculated students. There was a noticeable increase in the numbers of gentlemen university students after the Union of the Crowns in 1603, so the Border problem may have been of great significance.

The published lists of matriculations and graduations of all the English and Scottish universities in the sixteenth century are imperfect, yet they provide far more information about this stage of education than is available for earlier schooling. In Northumberland and North Durham John and Cuthbert Clavering, younger sons of Callaly and John Craster of

19. RD1/1 f. 48 RD1/8 f. 76 RD1/14 f. 209 RD1/19 f. 47 RD1/39 f. 188. RH15/19/3/1.

20. J. Simon, Education and Society in Tudor England, chapter fourteen. R.A. Houston, Scottish Literacy and the Scottish identity: illiteracy and Society in Scotland and Northern England, 1600-1800.

Craster all graduated in the later sixteenth century with a Master of Arts from Oxford University. William Selby of Twizel, a kinsman called William Selby and Thomas Ilderton of Ilderton all attended Cambridge University, but only the latter two graduated MA. William Selby of Twizel followed²¹ the fashionable gentry routine of matriculating without graduating, but he may only have gone to university on the advice of his Scottish mother, who would have favoured university education for her sons like many other landed Scots.

A few gentlemen's sons went to the unofficially termed 'third' university in England, namely the Inns of Court in London that were acknowledged as a finishing school for gentlemen not intent on becoming career lawyers. The published lists of registered students are not geographically detailed and probably omit some gentry. For instance Robert Roddam of Roddam was described as a 'broker in the lawe' and William Ilderton of Ilderton was a 'commen wryter of supplications aboute the Courte and Westmenster Hall' in 1586, but neither are listed as having attended an Inn which was the only way of obtaining legal training in sixteenth-century England. The names that have been recorded are Philip Gray of Howick (Gray's Inn 1598), Cuthbert Forster an unidentified kinsman of the Forsters of Adderstone (Gray's Inn 1574), Richard Ord a younger son of Hornccliffe (Gray's Inn 1591) and William Lawson of Rock (Gray's Inn 1571, unrecorded).²² Forster and Ord may have been career lawyers, but Gray and Lawson were only there to acquire a little legal knowledge as an

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21. CSP Dom, 1598-1601, p. 385. AA, xxx, p. 136. J. Forster, Alumni Oxonienses, i, pp. 286, 346. J. & J.A. Venn, Alumni Cantabrigienses, ii, p. 100; iv, p. 41.
22. C3/206/13. E310/21/111 f. 19. STAC5 S6/5. CBP, i, no 435. SS, cxxi, p. 216. J. Forster, Register of Admissions to Gray's Inn, pp. 47, 78, 95.

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accoutrement of gentility.

The higher education of Thomas Ilderton and Cuthbert Forster did not distance them socially from the other gentry as Ilderton enjoyed hunting with his local gentry friends and Forster returned to his native Northumberland 'out of terme'. If Northumberland was as backward as reports suggested then these well educated gentlemen would have been isolated from the supposedly illiterate mainstream of local gentry. The fact that they were not treated as being unusual may indicate the true extent of education amongst the local gentry. The high number of recusant gentry in the area surprisingly did not send any of their sons abroad to Catholic seminaries, but one Protestant younger son went across the Border. Edward Muschamp of Barmoor graduated with an MA from Edinburgh University in 1593, perhaps because Edinburgh was nearer than Oxford or Cambridge and an MA was obtainable there in only four years, rather than the normal seven years in England.²⁴

The Claverings of Callaly both matriculated at Queen's College Oxford at the age of twenty and William Lawson was eighteen when he entered Gray's Inn, but in Scotland the lairds' sons went to university at about fifteen years.²⁵ The sons of lairds who graduated with an MA degree are easily recognised as they qualified for the distinct title 'Mr' and generally used this designation in documentation. In England the use of 'Mr' was mostly a mark of respect for a member of the gentry classes and

23. W.R. Prest, op cit., pp. 21-3. J.A. Sharpe, Early Modern England, chapter ten.

24. Sharpe, op cit., p. 259. D. Laing, A Catalogue of the Graduates in the Faculties of Arts, Divinity and Law of the University of Edinburgh, p. 11, which contradicts S.J. Watts, From Border To Middle Shire, p. 91. St A. Recs, p. xxx.

25. St A. Recs, xxiv.

should not be confused with the Scottish terminology.

The Scottish university lists are as misleading as the parallel English registers, for they only mention the names and not the geographical origins of the students. Considering the high number of Border surnames that appear it is assumed that far more lairds than gentry sent their sons to university in the second half of the sixteenth century, as universities were becoming increasingly popular in Scotland as well as in England at this time. However there are many 'Mr' lairds who cannot be accounted for in university lists, probably because of omissions and the fact that many went abroad for their higher education. Both the heirs and younger sons of the lairds went to university, but the majority were younger sons.

The following were unaccountable 'Mr' younger sons before 1603: - Mr Patrick Cockburn of Choicelee, Mr Alexander Dickson of Overmains, Mr David Home of Crossrig, Mr Alexander and Mr Samuel Home of Huttonhall, Mr Patrick, Mr Andrew, Mr John and Mr James Home of Wedderburn, Mr Alexander and Mr James Home of Cowdenknowes, Mr John and Mr Alexander Home illegitimate sons of the abbot of Jedburgh, Mr Mark, Mr Robert and Mr Thomas Ker of Littledean, Mr James Ker of Ferniehirst, Mr William and Mr George Ker of Primsideloch, Mr William MacDougal of Stodrig, Mr George Redpath of that Ilk, Mr John Rutherford of Hunthill and Mr David Swinton²⁶ of Swinton. Of the sons and heirs of lairds Mr Adam Galbraith of East Windshiel, Mr George Ker of Cavers, Mr William Linlithgow, Mr Robert Pringle of Whytbank, Mr Robert Ramsay of Wylicleuch, Mr Nicol Rutherford of Hundalee, Mr Richard and Mr John Shoreswood of Bedshiel cannot be located. William Home of Ayton was not designated 'Mr' but he was learned.

26. CC8/8/28 ff. 351-2. CSP Scot, xiii, pt 1, no 122. RPC, vi, p. 57. See chapter one appendix. Some of these MAs may have been overlooked on university lists as positive identification is difficult.

There were five Scottish universities in existence before 1603, St Andrews, Aberdeen, ^(King's and Marischal) Glasgow and Edinburgh. There was no equivalent of the Inns of Court in Scotland, so if a younger son wished to study law he had to go abroad, usually to Paris or a provincial French university. The majority of Border lairds' sons went to St Andrews, but many were non-graduating as they, like the English gentry, viewed it as a finishing school. Edinburgh was nearer to the Borders, but it was not officially founded until 1583.

In the 1550s Adam Home, a younger son of Polwarth, graduated from St Andrews with an MA, but Hugh and William Douglas of Bonjedward and Ninian Spottiswoode of that Ilk only matriculated. There were no identifiable Borderers there in the 1560s but in the 1570s there was a flood of them including Alexander Home a younger son of Polwarth (BA), Alexander sixth Lord Home (non-graduating), Thomas and William Cranston of Morriston (MA's), Alexander (non-graduating), John (MA), George (non-graduating) and William (MA) Home of Manderston.²⁷ There were many other Homes and Kers in the 1570s who cannot be identified or belonged to families resident outside the Borders. Apart from John Spottiswoode, a noted Reformer and younger son of that Ilk, there were no traceable Borderers at Glasgow and there were none at Aberdeen. Edinburgh may have been attended by Patrick Home,²⁸ younger, of Polwarth in 1587.

There was an undoubtedly high standard of education amongst the lairds of the Eastern Borders by the 1590s. For instance three younger sons of David Home of Wedderburn, David, James and John were all MAs. This

27. St A. Recs. St A. Acta Facultatis.

28. Spottiswoode, History, ii, pp. 335-7. D. Laing, op cit., p. 8. P.J. Anderson Roll of Alumni of the University of Aberdeen. Munimenta Universitatis Glasguensis.

particular David Home was the one of the most outstanding intellectuals of early modern Europe, subsequently known as 'Godscroft'. His university education is unknown except for a possible visit to Paris university and a short stay at Geneva's Academy, where he registered for civil law along with his future brother-in-law (who elected languages and theology). It is surprising that Godscroft did not enrol for theology considering his later sympathy for Andrew Melville (who had been at Geneva until 1574) and his Presbyterian cause.²⁹

The education of the Homes of Wedderburn is revealed in great detail in Godscroft's De Familia de Humia Wedderburnensi. David Home of Wedderburn (died 1574) was conversant in Latin and logic, whilst his heir George went to Dunbar grammar and afterwards continued his education in the earl of Morton's household. He gained a truly universal knowledge by studying logic, French, history, geography, geometry, physic (medicine), scripture, philosophy, agriculture, economics and politics with several private tutors. Godscroft also mentions that Alexander Home of Manderston³⁰ was skilled in law and therefore may have been to university in France.

The 'auld alliance' between Scotland and France had many commercial privileges, but it also encouraged many young men to travel to France or beyond for education. The records of these students are poor, as there was, for example, no compulsion to matriculate at Paris. However,³¹ Alexander Home, a younger son of Polwarth, wrote an autobiographical poem

29. Le Livre du Recteur de L'Academie de Genève, i, p. 103. Godscroft, De Familia, p. 73. A.H. Williamson, Scottish National Consciousness in the Age of James VI, pp. 89-94. Godscroft married Haldane's widowed second wife in 1594, who was also a first cousin of his.

30. De Familia, pp. 43, 59-61.

31. A. Home, 'An Epistle to Maister Gilbert Moncrieff mediciner to the Kings majestie, wherin is set down the experience of the Authors youth', Hymnes and Sacred Songs (1599), pp. 48-9. D. Nobbs, England and Scotland, 1560-1707, p. 27.

that included a mention of his spending four years in Paris studying the law during the 1570s. Alexander was however the last of the Homes of Polwarth to go abroad, as his zealously Protestant family thereafter adhered to the instructions of the 1579 General Assembly of the Church that forbade youths to travel overseas, in case they fell victim to Catholic propaganda by attending a Jesuit seminary and were 'corrupted be pestilent poprie'. Alexander's younger brother George was therefore left 32 500 merks by his father providing 'he remane within the realm'. Not all the lairds paid heed to this for many continued to send their sons abroad.

The sixteen-year-old Robert Ker of Cessford was in France in 1586, possibly for education or service in the Scots Guard, although he always denied any higher education. He preferred to be seen as an artless and ambitious Borderer, rather than a polished graduate and his only 33 acknowledged studies were 'to mayntayn his owne greatnes and ambision'.

Roxbrough's no scollar: yet he's neer a kin
To learning, for his verie natural pairts
Exceed all other sciences and airts.

Cessford may have found academic study too tedious for his worldly and frankly violent ambitions that surfaced in the 1590s. Violence and education were not, however, incompatible in the sixteenth century for even the academically brilliant Godscroft used violence (by his own 34 admission) during a feud to defend his sister's honour. Cessford's lack of university education did not hinder his ascendancy and probably saved his father a great amount of expenditure.

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32. C8/8/34. BUK, ii, p. 437. J. Durkan, 'The French Connection in the Sixteenth and Early Seventeenth Centuries', in T.C. Smout, ed., Scotland and Europe, 1200-1850, pp. 14-44.
33. CBP, ii, no 1481. CSP Scot, viii, no 464. Bannatyne Misc, i, no 194.
34. Godscroft, De Familia, pp. 78-80. See chapter six pp. 368-70 and appendix no 129.

The exact cost of educating a son at a domestic university was at least £40 in England and at a foreign university a Scot must have spent a minimum of 500 merks. These amounts probably increased with inflation and the debasement of the Scottish coinage, which sharpened appreciably in the 1570s and 1590s, would have been detrimental to young Scots. The sixth Lord Home did not go abroad, but his expenditure at St Andrews was a headache for his tutor (his uncle Andrew Home, commendator of Jedburgh). Home only stayed at St Leonard's college for a year, 1578-9, but during this time he amassed a bill of £488-13-9 Scots for his furnishing from Alexander Carstairs a local merchant. The fifteen-year-old Lord must have enjoyed good, if expensive company, during his studies and he ironically associated with influential Catholic sympathizers that the Kirk had been so anxious for youths to avoid abroad.³⁵ There were no traceable Eastern Borderers at any of the European seminaries before 1603, but if the domestic universities retained Catholic interests this would not have³⁶ necessary for educational reasons, unless they wanted to become priests.

The drawbacks of not being able to positively identify many of the sons of lairds and gentlemen who went into higher education inevitably make an incomplete picture of their standards of education, but they were better educated than is often acknowledged and this attests to the genuine interest that landed men had in education. The surviving evidence does not support the typical image of backwardness in the area and agrees with the assumption of S.J. Watts that 'we can no longer accept assertions³⁷ that Elizabethan and Jacobean Northumbrians were unlearned'.

35. RD1/18/1 f. 2 RD1/19 f. 90. St A. Recs, pp. 286, 294. See chapter five pp. 359-60. Thomas Tyrie, a known Catholic, matriculated at the same college as Home in 1576 and later joined Home's household.

36. See chapter five p. 364.

37. Watts, op cit., p. 93.

Standards of literacy had also reached a higher level than has previously been recognized.

Signatures were the most easily recognizable form of literacy in the sixteenth century and are sometimes the only source available. It is impossible to determine whether a signature denoted a crude ability to write or genuine fluency, but it was a sign of literacy. The statistics derived by David Cressy from the deposition books of the ecclesiastical court at Durham suggest 59% literacy amongst the gentry in the 1560s,³⁸ which he unkindly refers to as 'amazingly illiterate', yet is nearer the truth than others who have based their judgement on an indenture signed³⁹ by the gentry of the East and Middle Marches in 1561. James Raine and Paul Boscher both quote this year as an example of illiteracy and backwardness in Northumberland, but a close examination reveals that of the gentry who lived north of the Coquet twenty-four men signed and twenty put their mark (for they could not sign) to the document. However at least three of the gentlemen who only marked are suspect for Edmund Craster of Craster, Thomas Ilderton of Ilderton and Cuthbert Collingwood of Eslington were all young yet known to be literate and well educated in 1561. They may of course have left the meeting prior to the signing of the document, so the correct ratio should be at least twenty-seven to seventeen, suggesting a rate of 61% literacy amongst the gentry.

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38. D. Cressy, Education in Tudor and Stuart England, Literacy and the Social Order and 'Social Status and Literacy in North East England, 1560-1630', Local Population Studies, xxi, (1978), pp. 19-23. Cressy's methodology is accepted by A.G.R. Smith, The Emergence of a Nation State, p. 198, but is questioned by D.M. Palliser, The Age of Elizabeth, p. 356. See also J.H. Moran, 'Literacy and Education in Northern England, 1350-1550: A Methodological Inquiry', NH, xvii (1981), pp. 1-23. P. Laslett, The World We Have Lost, pp. 229-231.
39. BL Cotton MS, Caligula B, v, ff. 52-60. Raine, ND, xxxi-xxxiii, xlix. P. G. Boscher, 'Politics, Administration and Diplomacy: The Anglo-Scottish Border, 1550-1560'. Durham Ph.D 1985, p. 13.

If the age of some of the literate gentry in 1561 is taken into consideration then the standard of local gentry education in the 1520s and 1530s must have been higher than has previously been judged. Many gentry who grew up before the 1520s were illiterate, such as Lionel Gray gentleman porter of Berwick and Cuthbert Ogle of Eglington, but their successors were literate by 1561.⁴⁰ Literacy of 61% in the 1560s may seem low when compared to the south of England, but this comparison is unfair as the south was wealthier and thus better served with teachers. The figure of 30% literacy ascribed by Raine, Tomlinson, Wilson and Stone would have certainly designated the gentry as backward, but 61% in 1561⁴¹ was substantial enough to repudiate the 'backward' jibe of southerners.

By the 1590s the standard of literacy north of the Coquet was much nearer 100%, which conflicts with Cressy's 64%. Cressy believes that the parish gentry of the North East were still widely illiterate in the 1590s, but this was not true of the area north of the Coquet where even middle and lesser gentry such as William Wallis of Akeld, Thomas Ogle of Holy Island and Thomas Manners of Cheswick were fully literate in the 1590s.⁴² There was also a reasonably literate yeomanry near schools like Alnwick⁴³ and the burgesses of Berwick were near 100% in 1600.

The criterion of literacy amongst the lairds is also mostly based on signatures and like Northumberland there was a growing pattern of literacy amongst the landed men towards 1603. The higher number of graduates in

40. ADM75/71. L & P. Hen VIII, xviii, pt 1, no 237.

41. W.W. Tomlinson, Life In Northumberland During The Sixteenth Century, p. 163. B.N. Wilson, op cit., p. 664. L. Stone, The Crisis of the Aristocracy, p. 676.

42. SP59/35 f. 209. DPRW 1589 (2), 1591, 1593, 1594, 1595 etc. There was approximately 100% literacy in 1597.

43. ADM75/71 William Gray, yeoman of Alnwick. NRO ZSW1/192 Hugh Palliser, yeoman of Shilbottle. BR0 B1/6 f. 35.

the Eastern Scottish Borders did not necessarily entail a higher ratio of literacy by 1603 and conflicting evidence does not help. In 1581 the Rutherfords of Edgerston, Hundalee and Hunthill and Douglas of Bonjedward did not sign their names,⁴⁴ but this may have been a clerical error as these lairds had graduates in their families and were literate in 1585. However in 1602 only two lairds (Rutherford of Fairnington and Ker of Shaw) were illiterate out of seventeen signatures and in 1600 only William Tait of Cherrytrees could not sign.⁴⁵ The rate of literacy amongst the lairds of the Eastern Scottish Borders was therefore about 90% by 1603, which was less than in Northumberland. However this was not a conclusive figure for in the Merse there was nearly 100% literacy. Many lairds there could sign their names from the middle of the sixteenth century and the Homes were typical of this pattern.⁴⁶ Even remote lairds were literate, such as the Redpaths of that Ilk in 1563 and the Riddalls of that Ilk in 1581, but progress was slower with the Kers of Primsideloch as their eldest son could sign in 1579 whilst a younger son's signature was led by a notary either by illiteracy or youth.⁴⁷ The Haitlies of Mellerstain had an illiterate father, John, who had a literate son in the 1550s, as did the Rutherfords of Hunthill in 1574, but patriarchal illiteracy would have been quite a commonplace occurrence amongst some of the Eastern Border lairds before the establishment of the Reformation, which strongly emphasized education and the foundation of schools.⁴⁸

After the Reformation the new Protestant Church advocated that every parish should have a school. This remained an impractical ideal for some

44. GD40/2/9/72. RPC, iii, p. 368.

45. CBP, ii, no 1164. RPC, vi, pp. 828-9.

46. CS6/27 f. 130. RD1/19 f. 287. HMC, Home, no 20.

47. CC8/8/9 ff. 102-04. GD237/254/3. RD1/17 f. 232.

48. CS6/7 f. 110. RD1/8 f. 393. Fraser, Douglas, iii, no 213.

decades, but where they were established they helped lairds and non-lairds alike. For instance when the parishioners of Eccles in Berwickshire petitioned their synod in 1602 there were seventeen⁴⁹ signatures appended of local lesser lairds and husbandmen.

A good education was beneficial to all sons of the lairds and gentlemen, who would have valued literacy for Bible or general reading and for better management of their own affairs. It was particularly helpful to younger sons, if they had no lands in perpetuity and were forced to find an alternative career to avoid downward social mobility.

II. Careers for Younger Sons.

Younger sons of lairds and gentlemen in the Eastern Borders followed various careers during the sixteenth century. This variety included farming, service in an aristocratic household, office at court, the law, apprenticeship to merchants and military service overseas. There is more evidence of these careers on the Scottish side of the Border, but this does not detract from the essential similarities between the sons of lairds and gentlemen at this time (with the exception of court offices, which were too distant from Northumberland to be of use to younger sons of the gentry). There were direct comparisons in land allocations, apprenticeships and military service. The lairds and gentlemen also shared the same problems of provision for many sons, but they relished the advantages of having successful younger sons as well.

Land was the primary source available to lairds and gentlemen for endowing their younger sons, but only the wealthiest landed men could give them land in perpetuity and in reality no perpetual gifts surfaced in

49. RH15/19/14. G. Donaldson, James V to James VII, p. 265. J. Wormald, Court, Kirk and Community, pp. 181-4.

Northumberland and only a very few in Scotland. The majority of younger sons were granted a liferent as the widow and heir of a laird or gentleman had priority in the settlement of an estate and the younger the son the smaller the award.⁵⁰

In Northumberland the Grays of Chillingham endowed their sons well because they were one of the wealthiest gentry families, but they were only given liferents. Their sons added some permanency to these initial grants by gaining former monastic properties and crown lands on a secure lease. Ralph the second son of Sir Ralph Gray (died 1564) had the largest liferent of local lands and later gained the Horton estate in perpetuity.⁵¹ Edward, the third son, was left the office of constable of Wark with its £30 annuity, but he later leased land from the earl of Northumberland at Rothbury and bought the estate of Howick in the 1590s.⁵² Henry, the fourth son, only received a liferent of Wooler Mill worth £6-6-8 p.a. but he later acquired Newminster Abbey near Morpeth.⁵³ Roger, the fifth son, was made bailiff of Akeld and Ewart manors and received a £7 annuity from Howick. He eventually acquired the lands of Outchester near Bamburgh with his younger brother Arthur, who had been left two tenements in Howtel and a £6-13-4 annuity and managed to buy the manor of Spindelston in 1602. The Forsters of Adderstone also helped their younger sons to success and formed the branches of Bamburgh, Capheaton and Lucker.⁵⁴

Younger sons of the middle gentry, such as the Beadnells of Lemmington, had to be content with a lease of the grain tithes of Wooden, Sheilupdykes

50. J.T. Cliffe, *op cit.*, pp. 83-6. R.A. Houlbrooke, *op cit.*, pp. 234-7. T. Wilson, 'The State of England', *Camden Misc.*, xvi (1936), p. 24.

51. C142/141/31. See chapter two pp. 152-3.

52. CP25/2/192 MICH 43 & 44 ELIZ. ALN MS AI/1/9.

53. E310/21/109. E401/1858.

54. ADM75/95 ADM75/101. CP25/2/192 TRIN 43 ELIZ, HIL 37 ELIZ & HIL 42 ELIZ. Sir John Forster was a younger son of Adderstone.

and Hazon and the Carrs of Ford gave a short-term lease to their younger son Ralph at £30 p.a. (but he later acquired Holburn and Downham through good fortune).⁵⁵ Robert Carr, a rebellious younger son of Hetton, only received a small grain tithe lease at Pressen and some Tweed fisheries worth £10 p.a.⁵⁶ The middle gentry provision for their sons was therefore barely adequate.

The younger sons of the lesser gentry were mostly forced to look away from the land if they wished to prosper. However, some chose to stay and accept inevitable downward social mobility like the sons of James Swinhoe of Berrington (a younger son of Cornhill himself), who could only secure a lease of Berrington to be shared by his sons and a nephew in 1599. William Manners of Ord could only leave his second son, Thomas, a cot house and croft with limited fishing rights for his lifetime only and John Carr of Lesbury gave his second son a small lease in Lesbury.⁵⁷ Some younger sons did not even get a liferent as Robert Weetwood of Weetwood received a twenty-one year lease and Robert Lawson of Rock gave his brothers the same. Sometimes younger sons were only left a portion of their father's goods, which effectively rendered them landless, such as Richard Ord of Hornccliffe who went to Gray's Inn.⁵⁸ What became of most of the younger sons of the gentry is unknown, but it is assumed that they fell below the rank of gentleman, unless they took up a profession, leased land or moved away like Ralph and James Swinhoe of Cornhill who went to Durham and George Fowberry of Fowberry who established himself in Yorkshire.⁵⁹

55. CP25/2/192 44 & 45 ELIZ. C142/277/195. SC6 Hen VIII 7364.

56. SC6 ELIZ I 1700. CPR, 1563-6, p. 338.

57. E310/21/109. DPRW 1570, 1588 (1).

58. C142/143/71. DPRW 1587 (2), 1589 (2).

59. Stat. 13 ELIZ, c. 16.i. SS, cxxxiii, p. 109.

The younger sons of the lairds had similar opportunities to the Northumbrian gentry's sons in the sixteenth century, but their close proximity to the Scottish court gave them an advantage as land grants and pensions were more accessible.⁶⁰ As in England, the wealthiest men gave their sons the most endowment. There were some grants of land in perpetuity, but the majority were in liferent and these were often supplemented by monastic grants in a similar manner to those of the Grays of Chillingham in Northumberland. The most singularly successful younger sons came from the families of the Home lairds, whose achievements are difficult to summarize because each man deserves a detailed biography.

Mr Adam Home, parson of Polwarth and younger son of that branch, was not a minister, but held the kirklands there as well as a £200 Scots pension from North Berwick Priory (which his family dominated) and other lands in East Lothian.⁶¹ His brother, Alexander Home of North Berwick, was a valued diplomat and provost of Edinburgh in the 1590s, who amassed a fortune in land after acquiring the priory at North Berwick. His lands there were specifically exempted from the 1587 Act of Annexation to the crown as a mark of royal favour and they helped endow some of his nephews⁶² (the next generation of Polwarth younger sons).

The Homes of Manderston had several successful cadet branches, but none

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60. The following younger sons received pensions from Kelso Abbey: - William Ker of Ferniehirst (500 merks), Thomas Ker of Cessford (650 merks), Alexander Home of Ayton (300 merks) and William Home of Cowdenknowes/Bassendean (£200 Scots). William and Alexander made good use of their pensions and held land in their own right. CC8/8/8 ff. 119-120. RSS, v, 336, 889, 890, 962, 1003; vi, 945.
61. RD1/12 f. 76. NRAS859/12/9. RSS, v, 2826. SHS, 3rd ser, xliii, p. 112. Younger sons who did enter the church for careers are discussed in chapter five pp. 363-4.
62. CC8/8/32 ff. 74-6. GD110 GD158/308 GD158/309. APS, iii, p. 436. RMS, iv, 1604, 1919, 1920; v, 1492, 1942, 1943. Edin. Recs, v, pp. 97-8, 119, 139, 163.

could equal the rise of their son George known consecutively as Sir George Home of Spott, Primroseknow, Greenlaw, Berwick and finally as earl of Dunbar in 1605. He accumulated many properties in Berwickshire and East Lothian during his rise to power.⁶³ Another Home younger son associated with the lands of Spott in East Lothian was Alexander of Cowdenknowes,⁶⁴ known as parson of Spott and of Gartsherry in Lanarkshire. He was helped by generous land grants from his uncle Mark Ker, commendator of Newbattle. Ker was himself a younger son of the Kers of Cessford, whose gift of Newbattle made him into a wealthy independent laird.⁶⁵ Two other successful younger sons of the Homes of Cowdenknowes were James, commendator of Eccles Priory, and William Home of Bassendean.

The Homes of Wedderburn managed to establish eight cadet branches and the Kers of Ferniehirst had at least two rising younger sons who gained success outwith the Borders. William Ker inherited his mother's lands and title of Kirkcaldy of Grange near Edinburgh (despite opposition from the Kirkcaldies) and Andrew Ker probably borrowed money from his father to buy Nether Gogar in West Lothian.⁶⁶

Thomas and Richard MacDougal of Makerstoun were amongst the few younger sons who were granted land in perpetuity by their family. Instead

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63. RMS, v, 2096, 2097, 2098; vi, 433, 500, 1446. For the other successful younger Homes of Manderston see chapter one appendix - Tinnis, Cranshaws, and Slegden.
64. GD40/3/151/1. RD1/23/1 f. 89 RD1/32 f. 283. RMS, iv, 1351, 1354, 1377, 2677; vii, 964. RPC, i, p. 621. RSS, iii, 2410; v, 2189, 2190, 2193, 3052. Newb. Reg, pp. 338-40.
65. CC8/8/16 ff. 79-83 CC8/8/29 ff. 280-2. CS6/23 f. 49. GD40/14/4. RMS, v, 1307. Andrew Home, commendator of Jedburgh, was a mere figurehead in comparison to Mark Ker, as his monastery's lands were leased to his family. CH6/6/1 ff. 25-6. NRAS859/4/1. RMS, iv, 1737.
66. See chapter one appendix. GD40/3/103 GD40/5/4/12. RD1/8 f. 35 RD1/28 f. 302. RMS, v, 39, 1500. RPC, v, p. 673. RSS, ii, 2843.

of just being given the liferent of two husbandlands, they held them under reversion of 700 merks. The Kers of Primsideloch also used this system, but the majority were endowed with liferents, like Alexander and George Swinton of that Ilk who were each given eight husbandlands or John Cranston of Corsbie who held a fourteen merkland. Liferents were generally more acceptable to the heirs of lairds as grants in perpetuity⁶⁷ inevitably caused resentment.

The lesser lairds used the same devices as the greater lairds for endowing their sons and thus utilized monastic and crown land grants and heiresses. Robert Mow, a younger son of that Ilk had a lease of a four merkland of Kelso Abbey and James Lumsden of Blanerne rose up the social scale by marrying a distant kinsman's daughter and gaining the lands of Airdrie in Fife.⁶⁸ George Home, portioner of Gullane in East Lothian, was a younger son of Home of the Law, but the reasons for his prosperity remain obscure. He was, however, affluent enough to oblige his kinsman Lord Home with a loan of over £500 Scots in 1590. Some younger sons were prepared to travel great distances to establish themselves, such as David Pringle of Galashiels who went to Bondarroch in Kirkcudbrightshire. The nephews of James Brounfield of Whitehouse were 'absent from the Merse' in⁶⁹ 1574, so they were presumably pursuing careers elsewhere at the time.

At the other end of the spectrum were the younger sons who received very little, like James Brounfield of Nether Mains who received his bairn's portion of £200 Scots, but no lands whatsoever. Patrick Cockburn

67. CC8/8/4 f. 47. GD12/138 GD12/139 GD158/201. RD1/28 f. 208 RD1/30 ff. 121-4 RD1/49 ff. 525, 527. See chapter six appendix nos 41, 114.

68. CC8/8/15 ff. 62-3. RD1/1 f. 31 RD1/9 f. 144 RD1?23/2 f. 411. RPC, i, p. 484. RSS, v, 3148.

69. CC8/8/27 f. 123. RPC, ii, p. 322; iv, p. 600.

of Choicelee only had an unpromising lease of land at Simprim and Walter Ker of Faldonside who had a barnyard in Jedburgh worth a miserly 13s 4d⁷⁰ p.a.

One solution to the problem of providing for younger sons was to carry on the medieval tradition of placing sons in an aristocratic household in hope that the noble concerned would offer them lasting employment. This practice, however, was in sharp decline in the sixteenth century so there were only a few examples in the Eastern Borders. For instance Roger Swinburne of Edlingham was in the service of the earl of Rutland in 1553 and Robert Lisle of Felton was in the earl of Sussex's household in 1573, but the latter was an heir who was probably working for Sussex only in his capacity as Lord president of the Council of the North.⁷¹ David Home of Godscroft was a servitor of the earl of Angus in the 1580s, but this was in deference to their kinship rather than a career. The master of Glamis employed John Ker of Primsideloch as a servitor in 1586, but it is again unclear if this was a career or just an educational pursuit.⁷²

There were far more younger sons serving other lairds than the aristocracy and they seem to have been career servitors. Mr George Home of Carolside served Mr William Hart, an advocate, Ninian Edgar of Wedderlie was servitor to Sir James Home of Cowdenknowes and Thomas Trotter of Ryslaw was in the service of Lord Borthwick. John Home, an illegitimate son of Cowdenknowes may have been in the employ of the Kers of Ferniehirst as he was their procurator in 1586, whilst Henry French of Thornydykes was possibly in the household of Robert Stewart, commendator

70. CC8/8/7 ff. 298-9 CC8/8/9 f. 371. CH6/6/1 f. 70.

71. NRO ZSW1/181. NCH, vii, p. 380.

72. RD1/25 f. 154. HMC, Milne-Home, no 174.

of Holyrood. Adam Brounfield of Tenandry started his career in Lord Home's service but he was seconded to the laird of Powrie Ogilvy, a Catholic friend of Lord Home.⁷³ Alexander Home of North Berwick employed Andrew Home of Prendergust and Robert Pringle of Blindlee as bailiffs of his priory lands, but it is unclear if this involved full-time employment.⁷⁴ What is unanswerable about most of these appointments is their duration and remuneration. Court offices were probably more lucrative and more sought after by younger sons.

The lairds' sons had a varying success rate at court as much depended on the sycophantic behaviour of the individual and the politics that predominated at the time. At the highest level Sir George Home was the supreme success of all the Border lairds' younger sons, but his achievements were resented by some of the more established courtiers, who even plotted to kill him, unsuccessfully.⁷⁵ Sir George's uncle John Home of Tinnis made his way up at court in the 1570s and 1580s through various salaried positions, but he never reached beyond being the King's Master Hunter⁷⁶ which was a position of esteem, but not of power. Amongst the lower level of court offices were younger sons like Hew French of Thornydykes, a servitor and controller of his Majesties Horse, who died leaving only £92 Scots and no land. William Pringle of that Ilk was a servitor and Walter Ker of Littledean was an almoner in the 1550s.⁷⁷

73. CC8/8/2 ff. 96-7 CC8/8/15 ff. 44-5 CC8/8/32 ff. 295-6 CC8/8/35. CS7/73 f. 342. RPC, iv, p. 66.

74. RMS, v, 146. See chapter one pp. 79-80.

75. CSP Scot, x, no 612; xi, nos 290, 360. See chapter one appendix. 'New' men such as the Cecils were unpopular in England as well. It should be pointed out that Sir George's office of Master of the 'Garderobe' was contemporaneous with 'Wardrobe' and not a privy!

76. TA, xiii, pp. 124, 307.

77. CC8/8/3 f. 200 CC8/8/5 f. 80. Mary of Lorraine, Corresp, p. 368.

Court life did not suit all the younger sons who tried to gain a foothold there. Alexander Home, a younger son of Polwarth, tried to emulate his father's success in the 1570s as a court poet during the early 1580s, but found his path blocked by a rival poet Alexander Montgomery. The only patronage he received were two monks' portions of Dunfermline in 1584, which were hardly lucrative. Home was suffering from tuberculosis⁷⁸ at the time and was also sickened by the

fraud, treasone, lies, dread, guile, sedition,
Great greediness and prodigalitie,
lusts sensual and partialitie.....
Of learning, wit and vertue all denude
Maist blockith men, rash, riatous and rude:
And flattering fallowis oft ar mair regarded:
A lying slave will rather be rewarded.

Alexander had previously tried to become a lawyer, but he had been equally disenchanted with procedures there after spending four years training for this career in France.

My breast was brusd with leaning on the bar
My button brist, I partely spitted blood
My gowne was trald and trampled where I stood

Not all younger sons found the law so disagreeable as some became practitioners, such as George Trotter of Catchelraw who became a Writer to the Signet.⁷⁹ The expense involved in training a son for the law, whether in France or London for the Northumbrian gentry, must have inhibited many from taking up this career. There were however other opportunities open⁸⁰ to them in the commercial world, military service and the church.

Apprenticeships to merchants and burgesses were scorned by educational

78. RSS, viii, 2553. A. Home, *Hymnes and Sacred Songs*, pp. 52, 55-7.

79. Between 1594 and 1688, 54% of the Writers were lairds' sons. G. Donaldson, 'The Legal Profession in Scottish Society in the sixteenth and seventeenth centuries', *Juridical Review*, (1976), p. 11. A History of the Society of Writers to the Signet, p. 204.

80. For younger sons who entered the church see chapter five pp. 363-64.

theorists and aristocratic idealists, but they were nevertheless very⁸¹ attractive to younger sons in the second half of the sixteenth century.

This was partly due to the 1563 Statute of Artificers that had standardized a minimum seven-year apprenticeship throughout England and introduced a property qualification for entrance to some crafts. This had made apprenticeship more elitist than before and thus attractive to the gentry who needed another outlet for younger sons, (though not all apprentices were from the gentry classes). In Northumberland the majority of gentlemen sent their sons to prosperous Newcastle upon Tyne, but a few went to Berwick or London. There was no guarantee of success in the commercial world and some younger sons failed to complete their apprenticeships, but a few became very wealthy by trade which justified the gentry's interest in this hitherto denigrated career for their sons.

James Clavering, a younger son of Callaly, chose not to go to university like his brothers and instead opted to become an apprentice at Newcastle in 1578. He typically married his master's daughter for convenient advancement and went on to become the mayor of Newcastle and⁸² the founder of a wealthy gentry family based at Axwell in County Durham.

The Merchant Adventurers of Newcastle welcomed many gentlemen's sons into their guild from Northumberland, Lancashire, Yorkshire, Westmorland and even Lincolnshire, but they absolutely refused to take anyone from⁸³ Tynedale and Redesdale owing to the wild reputation of these dales.

The apprentices who enrolled for ten-year apprenticeships at Newcastle were from middle or lesser gentry families, as the greater gentry families

81. J. Ferne, *The Blazon of Gentry*, p. 7. J. Simon, *op cit.*, p. 355.

82. T&WAD 988/1 f. 61. DRO D/CG7/15 D/CG7/16. He initially apprenticed with Henry Weldon, but changed to Roger Nicolson and married his daughter.

83. *SS*, xciii, (1895), pp. 27-8.

could afford to endow their younger sons without resorting to apprenticeships may have despised this as a career. Therefore the Grays of Chillingham, Forsters of Adderstone and Selbies of Twizel had no mercantile sons, but the impoverished Odnel Selby of Hulne Park⁸⁴ apprenticed four of his sons at Newcastle between 1581 and 1592. Marmaduke Selby disliked his apprenticeship and was discharged in 1593, but what became of his brothers is unknown. Marmaduke probably persuaded his friend Gavin Salkeld of Alnwick West Park to enrol at Newcastle as⁸⁵ their indentures bear the same date (20 June 1589).

The Crasters of Craster apprenticed two of their younger sons in 1592 and 1594, so they were copying the Claverings' example of having a graduate and apprentices in the same family. George Armorer of Belford was the earliest recorded younger son to be enrolled from north of the Coquet, in 1567, but there must have been others for Cuthbert Carr of Hetton (later of Benwell Tower), Thomas Hoppen of Hoppen and Bartharam Ord⁸⁶ of Ord were all merchants of Newcastle. Newcastle was, however, not the sole recipient of younger sons as apprentices. William Fenwick of Brinkburn and Anthony Ilderton of Ilderton went to London, the latter becoming a stockfishmonger at Chigwell, but others preferred the nearest⁸⁷ borough at Berwick upon Tweed. George Ord, son of John Ord of Longridge was apprenticed at Berwick in 1582, but he switched masters in 1584 by payment of 'twoe Barrells of Sault Salmon to the Chamber of the Towne' and

84. T&WAD 988/1 ff. 62, 64, 71, 75. Printed in *SS*, ci (1899).

85. *ibid*, ff. 71, 72. Gavin became heir to his father, but at the time of his enrolment his elder brother George was alive. Elder sons did not normally apprentice.

86. *ibid*, ff. 57, 74, 76. REQ2/248/28. DPRW 1572. R.E. & C.E. Carr. *The History of the Family of Carr*, p. 176.

87. REQ2/270/1 REQ2/272/18. *NCH*, vii, p. 473. *SS*, cxvi, (1908), p. 281.

and was made a free burgess in 1588.⁸⁸

The apprenticing of lairds' sons was also thought disparageable by contemporaries, but it was a widely adopted career as in England. Even well educated men like Mr David Swinton, parson of Cranshaws, seem to have valued apprenticeships as careers as he instructed his executors to put his son George to 'ane crauft' and 'wair the parte of heos (Helios) upon him to lerne him the craift'.⁸⁹ Edinburgh was by far the most prosperous burgh in sixteenth-century Scotland with a thriving overseas trade in the second half of the century and long-established trading links with the Eastern Borders. It was therefore the most obvious location for the younger sons of Border lairds to apprentice. However, there were substantial property qualifications of 1000 merks moveable goods after 1585 for those younger sons who wished to be admitted to the merchant⁹⁰ guild. A cheaper alternative was to marry the master's daughter.⁹⁰ Some went to other less prosperous places, such as Duns, Kelso, and Jedburgh.

There were proportionally more younger sons apprenticed in Scotland than in Northumberland, perhaps stemming from the close proximity of Edinburgh and the higher density of burghs in Eastern Scotland. There were several successful burgess families established by lairds' sons, but this did not tempt the Homes who resolutely refused to apprentice their sons with few exceptions. The Pringles, Trotters and Brounfields were, however, not so elitist in their attitude and apprenticed many of their⁹¹ sons. Four younger sons of the Pringles became burgesses of Edinburgh -

88. BRO B1/3 ff. 54, 77. B1/4 f. 81.

89. CC8/8/28 f. 131.

90. HMC, Salisbury, viii, p. 295. T.C. Smout, A History of the Scottish People, 1560-1603, pp. 159-60.

91. The route into commerce for many lairds' sons is obscure because the records of the Edinburgh apprentices do not begin until 1583.

James of Blindlee, David of Torwoodlee, William of Whytbank (tailor) and David of Buckholm (apothecary).⁹² The latter David kept up his connections with the Borders by supplying drugs and loans to Henry Haitlie of Mellerstain, Isabel Pringle of Slegden and Sir James Home of Cowdenknowes.⁹³

The Trotters of Catchelraw, Chesters and Sisterpath all apprenticed sons. John of Catchelraw became a wealthy merchant of Edinburgh in the seventeenth century and purchased Mortonhall near Edinburgh, but his uncle was only a merchant in Duns. John Sinclair of Longformacus was equally as prosperous as Trotter and purchased Stevenson in East Lothian in 1624.⁹⁴ John Brounfield of Nether Mains sought his advancement by marrying his master's daughter and he also kept up his Border connections.⁹⁵

Other younger sons apprenticed at Edinburgh included Robert Redpath of that Ilk, David Redpath of Greenlaw, Thomas Ker of Ancrum, Mark and John Ker of Cavers (Mark was the progenitor of the Kers of Duddingston), John Dickson of Herdrig and George Home of Crumiecruke (one of the few Homes so to do). The Redpaths of that Ilk were like the Claverings and Crasters of Northumberland as they had both graduates and apprentices in their families. This is probably a reflection of landed men's interest in finding careers for their younger sons, which did not seem to discriminate between the relative values of academic prowess and purely commercial pursuits.⁹⁶

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92. CC8/8/24 f. 304. GD157/91. HMC Home, no 40. RMS, v, 1229. M. Lynch, Edinburgh and the Reformation, p. 289. Alexander Home, burgess of Edinburgh also supplied Homes at Ayton. CC8/8/1 f. 308.
 93. CC8/8/4 f. 268 CC8/8/15 ff. 331-4 CC8/8/31 f. 382.
 94. RMS, vi, 1797. Edin. Apprentices, p. 186.
 95. CC8/8/16 ff. 299-301. His master was Mungo Scott.
 96. RD1/6 f. 369. NLS CH5155. RPC, vi, p. 779. Edin. Apprentices, pp. 50, 91, 105, 151.

The younger sons who did not enrol at Edinburgh were found trading at various locations such as Kelso (William Lauder of Whitslaid), the Merse (Andrew Redpath of Crumrig), Inverkeithing (Mark and John Swinton of that Ilk), Dundee (Walter Haliburton of Mertoun), Haddington (Nicholas Swinton of that Ilk), Jedburgh (sir James Ainslie of Thickside, a former priest of the altar of St Ninian in the burgh).⁹⁷

There were more apprentices from the Eastern Scottish Borders than Northumberland, but both sides had their successes and must have thought it a worthwhile option for their sons. However this must have been an arduous and 'ungentle' career for some and especially for those apprenticed in unglamorous trades such as the fleshers. There was, however, a more chauvinistic alternative for ambitious younger sons in military service.

Military service could be a career or just a short-term occupation for the sons of landed men. There were plenty of opportunities for careers in this field owing to the bellicose environment of sixteenth-century Europe. The Northumbrian gentry were fortunate to have a substantial garrison town nearby that could offer permanent military offices, but this also led to service overseas by secondment or just through local publicity for such expeditions. John Carr of Hetton was forced to be a soldier by impoverishment and died whilst serving in Portugal in 1589, but William Selby of Shoreswood served in Ireland without mishap. William's nephews⁹⁸ Ralph Selby of Weetwood and captain John Selby of Berwick served in the Low Countries in 1603-04 and in the Azores in 1597 respectively.

97. CH6/6/1 ff. 32-3. RD1/14 f. 380 RD1/21 f. 262 RD1/28 f. 303 RD1/31 f. 247. RMS, iv, 1882; vi, 737. RPC, iv, p. 156.
 98. CSP For, 1575-7, no 437. NCH, xiv, p. 233. SHS 1st ser, xxxii, (1899), pp. 65, 186. See chapter two pp. 180-81.

William Selby did not have to fight for financial reasons, as he was well endowed with local lands and was even able to afford the purchase of Letham Mote in Kent. His service was therefore in deference to his family's tradition of serving the Berwick garrison.⁹⁹ Cuthbert 'Cuttie' Armorer of Belford, however, was a career officer in the garrison as constable of the horse garrison and as a respected Anglo-Scottish messenger between James VI and Lord Hunsdon, the governor of Berwick. He was even granted¹⁰⁰ position at the Scottish court in 1584, as one of James VI's huntsmen.

For the Scottish lairds the military options were at court, as a mercenary in the Low Countries or in the Scots Guard of the King of France. The Scots Guard was a prestigious military unit offering little, if any remuneration, but it may just have been viewed as a form of education for younger sons and heirs. It was a popular destination for the Cockburns of Choicelee, who sent three of their sons to serve in the Guard between 1553 and 1578. Andrew Redpath of Rowchester resigned his place to his son William, but he had to pay £200 Scots for this changeover, so the Guard may well have been more of a financial liability¹⁰¹ than a sinecure. It was certainly a burden for Walter Ker, a younger son of Primsidloch, whose grandfather arranged a wadset of his father's¹⁰² lands to provide him with 600 merks to

mak his furnesing and to do his wyers lefull efforts
and buisnes in the partes of france wher he is now
bound to serve in the king gaird thereof.

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99. E310/21/112. D & Ch Reg, 2(A), ff 214, 216; 5(E), ff, 40-1, 79, 101. KAO U947/T2/1 U947/T2/14. NRO 1DE/1/117.
100. BRO B6/1 f. 163. CPR, 1572-5, p. 203. CSP Scot, vii, nos 13, 56, 179, 661. HMC, Salisbury, iii, 417; vi, 342. Calderwood, *History*, iv, p. 171; vii, p. 275. CBP, i, nos, 536, 572. See chapter 6 pp 410-11.
101. CC8/8/8 ff, 294-5. SHS, 3rd ser, xlii, p. 283. W. Forbes-Leith, *Scots Guard*, ii, pp. 152-83.
102. RD1/33 f. 12.

The published lists of the Scots Guardsmen are as unhelpful as the university registers, for they give no territorial guidance and there was an additional problem of the French registrars not being able to spell Scottish surnames. Nevertheless it is possible to ascertain that many Eastern Border lairds' sons served as there are many references to
¹⁰³
 Homes, Cockburns and Swintons. One of the listed Homes, Gavin, an archer in 1546, 1550 and 1554 was probably a younger son of Polwarth and his nephew Patrick, younger of Polwarth, may have served in 1554 as there is a reference to 'Patric Hume le jeune'.

Guard service was useful to Gavin Home as he fought with the French forces in Scotland in the late 1540s and was respected by them. He was rewarded with the captaincy of Tantallon Castle, which gave him a foothold in domestic military service as Tantallon was intermittently a royal possession during the many forfeitures of the earls of Angus in the
¹⁰⁴
 sixteenth century. Military opportunities at the Scottish court were available in the form of captaincies and lieutenancies of the King's or Queen's Guard. These offices were however restricted to crown favourites and therefore could only be competed for through court contacts. William Home of Bassendean was a lieutenant of the Guard in 1586 as a favoured
¹⁰⁵
 younger son of the Homes of Cowdenknowes. Mr William Home of Whitelaw, a younger son of the Homes of Manderston, was also a favoured captain of

103. Forbes-Leith, *op cit.*, i, pp. 188-92; ii, pp. 138-179.

104. RD1/13 f. 41. L & P. Hen VIII, xx, pt 1, nos 924, 1100; pt 2 nos 347, 432. RSS, iii, 1732; v, 2566; vi, 585.

105. CC8/8/4 ff. 93-4. RD1/36 f. 433. RH15/19/17. NLS CH1554. APS, iii, pp. 623-4. CSP Scot, viii, no 396. RMS, iv, 2196; v, 123. RSS, v, 336. Pitcairn, *Trials*, i, pt 2, p. 2; ii, p. 336. William was so favoured that he was pardoned for committing three murders (his victims were Alexander and John Haitlie of Mellerstain and Mr Alexander Dickson of Hassington).

Tantallon and made a lieutenant of the King's Guard for helping James VI against their shared adversary Francis Stewart, earl of Bothwell. Bothwell had reluctantly surrendered to William in 1589 and his brother, Hercules Stewart, was executed in 1595 after being captured by William.¹⁰⁶ However the most rewarded Home younger son in the crown's military service was Captain David Home of Fishwick, to whom Edinburgh Castle was surrendered in 1573. He had relished crushing the Marian rebels, but as there were no military operations after 1573 he looked abroad to continue his military career as a mercenary.¹⁰⁷

Scots mercenaries were encouraged to go to the Low Countries to fight for the Prince of Orange against the Spanish occupying forces. Fishwick went there in 1573, as did Andrew Ormiston, a younger son of that ilk. Ormiston was designated a Captain in 1573 and paid £50 p.a. He was promoted to a Colonel in 1574, but his mercenary career was ended abruptly when he was killed in a duel in 1575.¹⁰⁸ Others followed in their wake, no doubt lured by the financial rewards. John Ker of Primsideloch and William Home of Bassendean accompanied Lord Glamis in 1586 and in 1601 a Captain John Ker, (who was probably a Border laird's son),¹⁰⁹ also served there. The only other mercenary connection with a laird's son was a Captain William Renton (possibly a younger son of Billie) who was to levy

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106. CSP Scot, x, nos 15, 81, 84; xi, nos 465, 472, 474, 475, 477. RMS, v, 2195. Hercules Stewart had killed William's brother in 1584. See chapter six appendix no 13.
107. CC8/8/9 ff. 162-3 CC8/8/10 ff. 221-2. CSP For, 1572-4, no 1047. RSS, vi, 1183, 1739; vii, 330, 471. Calderwood, *History*, iii, p. 284. Melville, *Memoirs*, p. 254. See chapter three, p. 240.
108. J. Ferguson, *Papers illustrating the history of the Scots Brigade in the Service of the United Netherlands*, SHS, 1st ser, xxxii, (1899), pp. 6, 8, 26.
109. *ibid*, pp. 31, 59, 60, 63-4, 182-3. CSP Scot, viii, no 437. Payments were not guaranteed for Sir Walter Scott of Buccleuch served from 1604-09 without immediate compensation and took years to obtain any.

150 men to serve the Hanseatic city of Danzig in 1577.¹¹⁰

By travelling abroad to give military service younger sons would have encountered different European cultures, which may well have influenced them and spread new ideas amongst their families upon their return. There was, however, a significant domestic culture in Scotland that some of the Border lairds and their sons contributed to.

III. Culture.

The cultural achievements of William Ilderton of Ilderton, David Home of Godscroft, Patrick Home of Polwarth and his son Alexander are unexpected in men from a region renowned for its endemic violence. The Eastern Borders were generally less violent than the Western Borders, so an appreciation of music, literature and poetry was possible there in the sixteenth century and would have been helped by the increasing number of sons of landed men going to university. Ilderton and the Homes were all poets, but they were musical as well and appreciated literature. Some of the greater lairds also indulged in travel for fashionable reasons, rather than purely educational visits abroad. It is difficult to ascertain how far cultural appreciation went amongst the lairds and gentlemen as the majority were probably somewhere between philistines and philosophers, but better education at all levels would have led to the lairds and gentlemen being more receptive to culture.

William Ilderton of Ilderton was really a distant descendant of the Ildertons, who had been resident in London for most of his life when he inherited the Northumbrian estate after a prolonged legal struggle. His

110. RPC, ii, p. 621. There were no Border lairds in Prussia or Germany. E.L. Fischer, The Scots in Germany and The Scots in Prussia.

cultural achievements were therefore not native to Northumberland and his predecessor, Ralph Ilderton, had been described as 'a ryotous man gevyn to sensual pleasure'. William was a more moralistic man and a sensitive poet, actor, lawyer and ballad writer. He acted before Edward VI and Elizabeth I and his poem 'The Pangs of Love and Lovers Fits' (1560) was well known throughout England and Scotland (where it had a religious parody in the 'Gude and Godly' ballads of the 1560s).¹¹¹ William had a ribald manner of presenting his own humourous ballads, yet he was also capable of writing serious, if minor, poetry based on the work of classical philosophers. William Ilderton's poetry was limited in its success by the fact that this was one of the most outstanding eras of English poetry and his poems were overall, not of great quality. His ballad 'Northumberland News', published at the time of the Rising of 1569, demonstrated both his loyalty to the crown and his remoteness from many of the Northumbrian gentry in religious matters. Ilderton was staunchly Protestant, whilst many gentry were still Catholic and would have resented his ballad (even though they had mostly refused to join the rebel earls).¹¹²

And Catholiques old that hold with the Pope
 And carie dead images uppe and downe
 To take better hold they shall have a Roope
 To teache them once to be trew to the Crowne

The Scottish poetry of the Homes of Polwarth was heard with appreciation at court, but Patrick's work was like William Ilderton's in quality and his son Alexander, although he was a far superior poet, left court before fulfilling his true potential as a poet. Patrick Home of

111. REQ2/226/3. BL Cotton MS, Caligula B, vi, f. 319. NCH, xiv, p. 272. H.E. Rollins, 'William Elderton: Elizabethan Actor and Ballad Writer', Harvard University Studies and Notes in Philology and Literature, xviii (1920), pp. 199-245.

112. BL 1471.d.7 (12). See chapter two p. 109 and chapter six pp. 407-11.

113

Polwarth was the favourite poet of the Scottish Court in 1579, when he composed the grovelling poem about the thirteen-year old King James VI's first hunting expedition on 12 June 1579 called 'The Promine concerning the maner, place and time of the maist illyster King James the sext his first passing to the feildes'. Patrick's position as court poet was short-lived with the arrival of Alexander Montgomery, a more gifted poet. Montgomery challenged Patrick to a 'flyting', which was an ancient form of court entertainment consisting of a battle of poetic invective and counter-invective that was in reality a slandering competition. Montgomery won the contest and ousted Patrick from the court poet's chair in the 'chimney nuik'. The personal abuse had begun with Montgomery describing Patrick thus

114

Polwarth, yee peip like a mouse amongst thornes
 Na cunning yee keipe: Polwarth, yee peip
 Ye look like a shiepe and yee had twa hornes.....

Montgomery's victory prejudiced the success of Alexander Home, Patrick's second son and a much finer poet than his father. Alexander's university education in France had given him an awareness of Renaissance ideology and this was reflected in the precise cosmological details of his poetry. He destroyed many of his early poems dating from the time when he was one of the young 'Castalian' poets at court, because of his disillusionment with court life. His later poetry such as Hymnes and

113. There has hitherto been much confusion about the descent of the Homes of Polwarth. There were three Patricks in succession in the second half of the sixteenth century. Patrick, father of Patrick the poet died in 1579. Patrick the poet died in 1599 and he was the father of Alexander the poet and Patrick Home, younger of Polwarth, a courtier, who died in 1609.

114. H.M. Shire, Song, Dance and Poetry of the Court of Scotland under King James VI, pp. 79-80.

Sacred Songs reflected his ultimate career in the church as minister of Logie in Stirlingshire and was for Christian rather than courtier appreciation. One early poem has survived, however, and is one of the most beautiful works of all sixteenth-century Scottish poetry. 'The Day Estivall' describes in great detail a summer's day in Berwickshire, from dawn until dusk in fifty-one stanzas.¹¹⁵

Quhilk Sunne perceaves the little larks,
The lapwing and the snyp,
And tunes their sangs like natures clarks
Ou'r midow, mure and stryp.

Patrick and Alexander Home wrote their poetry in Scots as this was the favoured medium of James VI before 1603, but David Home of Godscroft wrote almost exclusively in Latin. Godscroft wrote his first poem 'Daphn Amaryllis' when fourteen years old, but he did not publish any of his work until 1605.¹¹⁶ His use of Latin probably reflects his great intellect, but it denied his poetry a popular following.

Ballads were the most popular form of poetic entertainment in sixteenth-century England and Scotland, but they were not thought suitable for landed families' appreciation. The well-known Border ballads (however much they were interfered with by Sir Walter Scott) were really the products of the West and Middle Marches not the East Marches, with the exception of 'The Broom of the Cowdenknowes'.¹¹⁷ The lairds of the

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115. Shire, op cit., pp. 81, 203-04. A. Home, Hymnes and Sacred Songs. A. Lawson, The Poems of Alexander Home, STS, xlviii (1902). Bannatyne Club, xli (1832). For the Castalian Band see R.D.S. Jack The Italian Influence on Scottish Literature, chapter three.
116. CSP Scot, vii, no 267, the reference here to David Home's 'buik' (1584) relates not to Godscroft, but the minister of Coldingham of the same name. T. McCrie, op cit., ii, pp. 324, 329. Wormald, op cit., pp. 185-6. The History of Scottish Literature, i, pp. 105-38.
117. W. Scott, The Minstrelsy of the Scottish Border, pp. 305-08. The Border ballads have been extensively researched by J. Reed, The Border Ballads and M. Brander, Scottish and Border Battles and Ballads and are therefore not discussed here.

Scottish East March were probably more sophisticated than other Border lairds and may well have read books and poetry in preference to the ballads. Lesser men in this March, however, had a strong ballad tradition, but the only truly authentic ballad to come from this area¹¹⁸ concerns a small tenant farmer, George Ramsay in Foulden Bastle.

Fyfe fostring peace me bred
 From thence the Merse me cald
 The Merce to Marsis lavis led
 To byde his battelis bald
 Weried vith vares and sore opprest
 Death gave to Mars the foyl
 And nov I have more qvyet rest
 Than in my native soyl
 Fyfe Merce Mars Mort these fatal fovr
 Al hail my dayes hes dreven ovr

There were good supplies of printed books in Scotland and Godscroft must have had a personal library. Alexander Home the poet did have a substantial library for it was mentioned in his will in 1609 and seems to have been made up of religious texts. The other lairds are not recorded as having books, but sources are slight on this topic. They may only have owned a household Bible and Psalm book for a 1579 Act of parliament had ordered all gentlemen to have these books, but it is impossible to tell if they adhered to this statute.¹¹⁹

The inventories of the Northumbrian gentry are an incomplete source as they rarely list books, but they must have had some volumes as popular books were cheap in England. Books of a religious nature were prominent in Sir William Reed of Fenham's inventory of 1604. They included 'Mr Calvin's comentarie upon Job and a large Bible 'standing upon a desk', but

118. CC8/8/31 f. 186. This ballad is inscribed on his tombstone in Foulden churchyard. He died on 4 January 1592.

119. APS, iii, p. 139. HMC, Marchmont, pp. 91-2. Bann Club, Misc, ii, (1836), pp. 187-237, (an inventory of Scottish printers).

he also had Holinshed's Chronicle, Joannes Sleidanus's chronicle and a dictionary.¹²⁰ Thomas Forster, younger of Adderstone had eighteen unspecified books and a Bible in his household, but his reading material would have been very different from the Puritan Sir William for Thomas was¹²¹ a Catholic recusant.

Sir William Reed's inventory also included two maps, one of the World and the other of the Low Countries. This was probably connected to his military service and interests. They would not have been a local product¹²² as there were few if any cartographers in Northumberland. Sir William was also the only Eastern Borderer to have paintings listed, but the Grays, Forsters, Selbies, Homes, and Kers must have had some in their houses as well. Reed's paintings were again of a religious persuasion with one depicting Abraham offering up Isaac and another showing the Holy Ghost descending on the Virgin Mary. In fact the only cultural accoutrement missing from Reed's household was a musical instrument.

The lairds and gentlemen must have appreciated music to some extent, though only a few were accomplished musicians. Alexander Home the poet had a lute and the Homes of Wedderburn played the harp, but there are no other records of musicianship amongst the lairds. In Northumberland Nicholas Forster had 'a paire of decayed virginalls' in his great chamber,¹²³ so perhaps he did not play them himself.

Other forms of gentry entertainment included feasting, which would have been popular with the Catholic gentry. For instance Thomas Carr of

120. DPRW 1604. L.B. Wright, Middle Class Culture in Elizabethan England, chapter eight. D.M. Palliser, The Age of Elizabeth, chapter twelve.

121. DPRW 1587 (1).

122. L & P Hen VIII, xvi, no 1399.

123. DPRW 1608. Godscroft, De Familia, pp. 43, 61.

Ford and William Haggerston of Haggerston travelled to Lincolnshire and Lancashire respectively, just to celebrate Christmas with recusant kinsmen. Sir Cuthbert Collingwood of Eslington even had 'Carnir Bell a Scotishe fooleboy' in his household to enliven his family's entertainment. Ralph Gray of Chillingham rewarded a 'Scottishe woman that singe' with two shillings in 1600. In Scotland the Homes of Wedderburn indulged in lavish banquets for their daughters' weddings, but not for reasons of recusancy as they were Protestant.¹²⁴

The remaining source of culture for the landed men was travel overseas. The gentry were not as fortunate as the lairds for the Anglo-Spanish warfare of the late sixteenth century made travel difficult and any travel overseas had to be licensed by the privy council, which would have naturally refused permission to recusant gentry. Travel was also a costly undertaking, yet this did not seem to inhibit the lairds who travelled to France for fashionable reasons, as well as for educational or military pursuits. For instance the young laird of Broxmouth (an East Lothian Home) went to France in 1600 purely 'to see the fashions of the country' and probably visited his kinsman Lord Home who was also there at that time.¹²⁵ Lord Home had visited Brussels in 1591 and may have been to Italy during his three journeys abroad before 1603. Sir Walter Scott had been abroad on two occasions by 1600, which made his brother-in-law Sir Robert Ker jealous and anxious to catch up on their fashionable travel.¹²⁶ Even lesser lairds like Patrick Home of Broomhouse and Patrick Lumsden of Blanerne were prepared to undertake the expense of a foreign visit. Mr

124. SP15/29/160. CHL CAS DOCS no 28. CBP, ii, nos 1434, 1497. Godscroft, op cit, p. 68.

125. HMC, Salisbury, x, p. 82.

126. GD40/2/11/64. CSPScot, x, no 629; xiii, pt 2 nos 559, 566, 841.

Mark Ker (later of Newbattle) also went to France in 1547, but Alexander MacDougal of Stodrig's visit in 1568 was not for mere fashion as he was seeking a remedy for an illness.¹²⁷ These travels whether for education or just culture would have required stamina as well as money, so the recreational pursuits of the lairds were important to their fitness.

IV. Pastimes.

The lairds and gentlemen would not all have appreciated music, literature and poetry, but they would have enjoyed sports and pastimes. There was no sharp division between academic achievement and sporting prowess in the sixteenth century as the Renaissance ideal of the 'complete man' prevailed. The Borderers were renowned horsemen and seem to have bred racehorses for regular horse-races held at improvised racetracks such as Stockstruther near Kelso, Haddington, Peebles and Berwick. Scottish race meetings are usually noticed only because they could lead to trouble and this was reported to the privy council.¹²⁸ There were also races at Berwick for members of the garrison, who raced for the 'Scottish Bell', which was presumably a trophy. Sir David Home of Wedderburn enjoyed attending race meetings at Haddington and Peebles that lasted three days.¹²⁹

Horse breeding seems to have been prized on both sides of the Border for George Muschamp of Barmoor had a black horse stolen from Capheaton, a gentry residence south of the Coquet where he had no kinsmen and which was presumably there as part of a bloodstock arrangement.¹³⁰ Robert Pringle,

127. CS6/23. GD214/112. CSP For, 1560-1, nos 435, 661, 880. RPC, i, p. 605.

128. RPC, vi, p. 259; viii, p. 81. D.L.W. Tough, The Last Years of a Frontier, pp. 53-5.

129. CBP, ii, no 1162. Godscroft, op cit., pp. 51-2.

130. NRO QS1/1 f. 14.

tutor of Blindlee, must have been breeding racehorses before his death in 1587, as his listed debtors included James Douglas, commendator of Melrose £240 Scots for a gray; David Edmondston of Burnhouse £120 Scots for a brown horse; Lord Borthwick £66-13-4 Scots for a gray and James Hepburn of Craig £50 Scots for a white horse.¹³¹ As the normal price for a horse was about £20 Scots so these must have been highly prized animals. Hunting dogs were also highly prized in the Borders as Thomas Forster, younger of Adderstone had two dogs 'Perrye and Revell' worth 20s each and Thomas Ilderton of Ilderton valued his hounds 'Waklet and Ruffler' more than his own wife in 1578! They were used to hunt in packs for hares and other small game. Greyhounds were also noted and seem to have been raced¹³² between Scottish Kers and English Forsters.

The popularity of pastimes was unquestionable as there was a complaint in 1548 that the Northumbrian gentry 'lyeth at home hawking, hunting and going to weddinges', rather than fighting the Scots. Hawking was particularly enjoyed by George Home of Wedderburn, who favoured marlins but later changed to falcons and tercelles. He specially built a hunting lodge at Handaxwood in the Lammermuirs to facilitate this obsession for¹³³ hawks. Alexander MacDougal of Stodrig also valued hawks and promised one to the earl of Rutland in 1550. Hawking was seen as an aristocratic pursuit, mostly followed by the greater lairds and gentry, but its companion sport of hunting was enjoyed by all levels of landed society.

Hunting was the most popular gentleman's pastime in sixteenth-century

131. CC8/8/19 ff. 159-161.

132. DPRW Reg, v, f. 68. SS, xxxviii, pp. 303, 173. Raine, ND, pp. 308-09. Lesley, History, i, pp. 20-1. Hunting hounds were different from the sleuth hounds used to follow reivers.

133. Hamilton Papers, ii, no 454. Godscroft, op cit., pp. 61-2. HMC, Rutland, i, p. 56.

England and Scotland and the Eastern Borders were no exception.¹³⁴ James VI hunted in the Eastern Scottish Borders on several occasions, as there were plentiful supplies of game,¹³⁵ but the English East March was reported to be poorly provisioned with wild game in 1589, so the gentry may have preferred to hunt in the Middle March.¹³⁶ However there was enough game to satisfy the East March gentlemen on other occasions, so the reported dearth may just have conveniently occurred, because the English ambassador in Edinburgh had requested game from Sir John Selby for James VI's wedding feast.

Football was not thought by many to be a gentleman's pastime, but others advocated it. Some of the Border lairds certainly participated in games as the Cockburns of that Ilk were involved in a shooting incident when playing against some Teviotdale thieves in 1601. They had perhaps been trying to prove the Merse's superiority over Teviotdale.¹³⁷ Football was, though, a game enjoyed more by non-landed men and seems to have been a convenient means of settling disagreements on several occasions. It was often a violent sport and was feared by Border officials when it was to be a cross-border contest,¹³⁸ but these English Border officers could be equally violent themselves, for a 'Lord of May' games went disastrously wrong at Cornhill and Wark in 1562.¹³⁹

Indoor activities such as cards were more peaceable occasions for

134. M. Vale, The Gentleman's Recreations, pp. 27-8, 41-2. This comprehensive study of the gentry's pleasures from 1580-1630 gives far more detail than can be discussed in this chapter.

135. CBP, ii, no 1496. CSP Scot, xii, no 137. J.M. Gilbert, Hunting and Hunting Reserves in Medieval Scotland.

136. CBP, ii, no 1085. CSP Scot, x, no 235.

137. RPC, vi, p. 262. Vale, op cit., p. 112.

138. CSP Scot, xiii, pt 1, no 371. Carey, Memoirs, p. 38.

139. CSP For, 1562, nos 250, 275.

lairds, gentlemen and commoners alike, although gambling was inevitably juxtaposed with this pastime. It was a popular pursuit when the weather was bad and during the evening when the lairds and gentry seem to have gambled with ale, plaques, hard heads and silk points as well as money.¹⁴⁰ Dice, chess and fencing were also noted as lairds' indoor activities. Some of the lairds may have played golf, especially if they had lands near the East Lothian coastline, but no records of this survive. The only other sport noticed was athletics, as the Homes of Wedderburn seem to have participated in races, presumably in a cross-country manner.

The lairds and gentlemen therefore had a variety of sports and pastimes available to them, but hunting was probably the most popular pursuit. The laird or gentleman could thus accomplish the designation of being a complete Renaissance man if they took advantage of the educational, cultural and sporting facilities available to them. The Homes of Polwarth and Wedderburn would have certainly qualified for this distinction with their university education and poetic attributes, but this should not detract from the overall evidence that the lairds and gentlemen of the Eastern Borders enjoyed a higher level of education and culture than has hitherto been acknowledged. They also had some extremely successful younger sons, but this level of achievement should not be overestimated. It was significant enough to wholeheartedly reject the view that the area was backward, but this does not make it the equivalent of Renaissance Italy, or the Elizabethan court. A via media is therefore the best overview of their education, culture and pastimes.

140. CSP Scot, iii, no 84 (p. 50). HMC, Rutland, i, p. 40. Godscroft, History, p. 338.

CHAPTER FIVE

THE CHURCH IN THE EASTERN BORDERS : THE EFFECTS OF REFORMATION

The official adoption of Protestantism in England and Scotland was separated by more than a decade, but this does not preclude a comparison of the effects of Reformation in both countries. In the Eastern Borders the persistence of Catholicism was notable on both sides of the frontier. The English Reformation had only a minimal impact on north Northumberland and North Durham as Protestant ideas and practice were only effectively adopted here in 1577. The survival of Catholicism was helped by a number of factors including the lack of reformed preachers, geographical isolation and ineffective legislation against recusancy. The laws against recusants depended on efficient sheriffs and their deputies, but in Northumberland very few office holders were unconnected to Catholic families by marriage, so fines went unpaid and arrests were not made. On the Scottish side of the Border there were similar problems with planting Protestant ministers in the region. This area was, however, less remote from the centre of church government and therefore the Church of Scotland succeeded in establishing Protestantism more quickly than in Northumberland. Recusants were a problem but as they were not legislated against with the same ferocity as in England, they are less easily traced. Upland Teviotdale was probably similar to Northumberland with a strong survival of Catholicism, but this was a small area of the Eastern Borders. The Merse being more accessible had effectively established Protestantism by 1603. Both sides of the Border had difficulty maintaining church discipline, amongst the lairds and gentlemen, regardless of whether they were Catholics or Protestants, as fighting in the churchyard, illegitimacy

and greed for churchland were common problems.¹

I. ENGLAND

The English Reformation was far from being established in the Diocese² of Durham in 1559, when the Elizabethan church settlement was enacted. The principal reason for this was the incumbency of the conservative Cuthbert Tunstall as bishop of Durham, 1547-1559, but the geographical remoteness³ of this large diocese from London also contributed. The Pilgrimage of Grace of 1536 was supported by some of the gentry of north Northumberland, but this was not a contributory factor behind the region's Catholicism because the participants were caught up in local political feuds, rather than in the religious motives of other participants, particularly those from Yorkshire who protested at the dissolution of the monasteries.⁴ Tunstall was deprived in 1559 for refusing to accept the Act of Settlement, yet Catholicism endured in the region because of surviving Marian priests whose numbers were increased by emigre Scottish priests.⁵ It was not until Richard Barnes became bishop in 1577 that positive action was taken to spread Protestantism amongst the parishes of north Northumberland and North Durham. Evidence of Catholicism amongst the local gentry is plenteous and therefore dominates the discussion of

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1. It is easiest to discuss the English and Scottish evidence separately as there is more English documentation than Scottish. Comparisons and contrasts are demonstrated in the Scottish section.
 2. G.E.Elton, The Tudor Constitution, pp.410-13.
 3. The diocese covered the counties of Norham and Islandshire (North Durham), Northumberland and County Durham in the sixteenth century.
 4. M.H. and R. Dodds, The Pilgrimage of Grace 1536-7 and the Exeter Conspiracy 1538, vols i, ii.
 5. This survival of Catholicism is the subject of historical debate between J. Bossy and C. Haigh, which will be fully discussed later in this chapter.

the Reformation in north Northumberland and North Durham. The appendix, which is based on surviving wills, recusant rolls and evidence of kinship amongst either Catholics or Protestants, individually lists the known Catholics and Protestants of this era. By 1603 the gentry were divided into two distinct communities, one Catholic and the other Protestant, but political faction, kinship and greed for local monastic leases dating from before the Reformation all transcended this religious division.

Elizabeth's Border administrators were often guilty of sending back exaggerated reports about the conditions they had to endure in her service. However when Lord Hunsdon, warden of the English East March and a cousin of the Queen, sent a report in October 1587 he was probably nearer to the truth than he realised

.....the mydill and thys est marche, ar almost all becum papysts, for wher yn thys est marche at my goinge hens, I knew nott 3 papysts, I fynd nott now 3 protestants, for thohe sum of them wyll sum tyme cum to churche, and that nott past onse a quarter, theyr wyves ar notorious recusants.

Hunsdon was trying to stir action against local recusants, who had not appeared as suddenly as he noted, but were increasing in number. The government had previously been content with political stability in

6. BL Cotton MS, Titus, F, xiii, 249.

7. B.W.Beckingsale, 'The Characteristics of the Tudor North', NH, 4 (1969), p. 76.

8. During Edward VI's reign a fine of 12d for not attending church had been introduced, but it was much ignored. An Act of 1581 introduced a much harsher fine of £20 a month and in 1586 an Act enabling the crown to seize two-thirds of a recusant's property was passed. There was an additional burden in 1598 when the archbishop of York was asked to levy £15 (or £30, if gentry) from recusants in the north to furnish the light horse in Ireland. Northumberland would normally have been exempted from this levy because of Border land tenure. APC, xxix, pp. 111-12. CBP, ii, no 631. Elton, *op cit.*, pp. 431-3. H.T.Bowler, 'Some Notes On The Recusant Rolls Of The Exchequer', Recusant History, iv, (1958), p. 182-3.

the north in the aftermath of the risings in 1569 and 1570 and had not enforced the recusancy legislation that was prevalent elsewhere. Another report of 1587 noted that 'the greater part of the gentry are papist or addicted to papistry',⁹ yet the government was still more concerned with dangerous Catholics in Norfolk, Suffolk and Kent.¹⁰ Legislation was first introduced into Northumberland in 1585, but its immediate effect was minimal and even when it was widely used from 1591 onwards recusant numbers continued to increase. As late as 1600 the privy council warned the bishop of Durham about this.¹¹

Why had the reformed church failed to penetrate the diocese of Durham and thus allowed the rise of a strong recusant body? The answer is complex, but it begins with Bishop Tunstall. He was appointed to Durham in the year that Edward VI succeeded but he never introduced the new doctrines of this reign into his diocese and delighted in the return to Catholicism under Mary. Indeed John Knox's preaching in the diocese during the 1550s greatly angered the conservative Tunstall. He was not an instrument of the counter-Reformation, but by refusing to allow changes he effectively shut out the Reformation until the accession of Elizabeth,¹² which led to his deprivation in 1559.

John Knox lamented the lack of Protestant preachers in the north of England in 1559, particularly in Berwick.¹³ The majority of the Northumberland clergy were probably unreformed in 1559, owing to

9. CSPDom Add, 1580-1625, pp. 231-2.

10. Beckingsale, op cit., p. 77.

11. CSPScot, x, no. 630. APC, xiv, p. 15; xxxi, p.27.

12. D.M.Loades, The Last Years of Cuthbert Tunstall, 1547-1559. Durham Cathedral Lecture 1973. A. Forster, 'Bishop Tunstall's Priests', Recusant History, ix, (1968), pp. 175-204.

13. CSPScot, i, no 488. Robert Selby was vicar thee from 1541-65, but he was more ignorant than the curate. CSP For, 1560-1, no 683.

Tunstall's influence and the Catholic gentry as patrons of local churches. These priests were reinforced by Scottish exiles, who fled from Scotland during the 1560s as the spread of Protestantism began to take root. These Scots were willing to serve in the many Northumbrian chapelries that were really too impoverished to support a resident¹⁴ curate. Poorly endowed churches had also led to pluralism and an¹⁵ absence of preachers in the region. By 1577 when Richard Barnes became bishop of Durham there were still Catholic priests serving in the churches and chapels of the diocese. He determined to take a firm line on this and other matters of church discipline and actually put this into practice by instigating visitations to all areas of his diocese. Nevertheless this was fully eighteen years after the Elizabethan church settlement.

Bishop Barnes therefore made the first real attempt to tackle the problem of surviving Catholicism in the area. He insisted that the injunctions of Elizabeth I be obeyed, for instance Mass was not to be said for the dead, holy days were not to be observed and no one¹⁶ was to grant penance.

Of the forty-eight churches and chapels in the deaneries of Alnwick and Bamburgh, sixteen curates had no licence to preach and three refused to appear. The curates at Alwinton, Rock and West Lilburn were Scots and

14. CSP For, 1560-1, no 709. HMC, Salisbury, i, p. 311. SS, xxii, pp. 36-41. At this visitation of 1578 the following Scots were still in Northumberland; Andrew Hastings (Rock Chapel), Andrew Wright (West Lilburn Chapel) and George Livingston (Alwinton Chapel). In 1541 there had been a reverse flow of priests from England to Scotland because of the English Reformation. L & P Hen VIII, xvi, no 612.

15. CSP Scot, ii, no 9. CSPDom Add, 1547-65, p. 577. S.M.Keeling, 'The Reformation in The Anglo-Scottish Border Counties', NH, xv, (1979) p.31.

16. J. Raine, 'The injunctions and other ecclesiastical proceedings of Richard Barnes, bishop of Durham 1575-87', SS, xxii, pp. 13-23.

five charges were vacant. Vicars were only found in twenty of these forty-eight charges.¹⁷ The unlicensed curates may have been Catholic sympathisers or they may just have been unqualified to preach. When all the incumbents were tested at a visitation only twelve could relate the gospel of St Matthew correctly. Allowing for a few absentees this statement gives a poor view of the state of north Northumberland and North Durham's clergymen in 1578, but situation was never as bad as propagandists stated it to be. The 1539 report that 'there is never one preacher betwixt Tyne and Tweed'¹⁸ was clearly untrue.¹⁹

The survival of Catholicism in this area must have been assisted by the poor coverage of clergy in the local churches and chapels, a situation made worse by the ejection of the unlicensed curates in 1578. A humble curate was surely better for the religious needs of the area than having no clergy at all. The complete lack of clergymen in the wilder upland areas of the Border was not prevalent in this region, except perhaps in the higher parts of Coquetdale. The northerners described as being 'mere ignorant of religion' in 1568 were perhaps some reivers of the Middle and West Marches reported as mischievous people who¹⁹

if Jesus Christ were emongest them, they would deceave him, if he would heere, trust, and followe theire wicked counsell.

It was these people that Bernard Gilpin, the prominent post-Reformation preacher tried to reach in his annual preaching tours of Tynedale and Redesdale in the 1560s and 1570s, but a good sermon did not amount to good Christian practice in the area. His action against ignorance was

17. *ibid*, pp. 36-41. ¹⁷ L & P Hen VIII, xiv, pt 1, no 334.
 18. *ibid*, pp. 76-9. ¹⁸
 19. *CSP Scot*, ii, no 668. *CBP*, ii, no 763.

isolated as very few were brave enough to follow his example, and even Gilpin had to put up with his horse being stolen. Rothbury was the only place he visited north of the Coquet, as the shortage of clergy in Tynedale and Redesdale to the south preoccupied him. Sir John Forster referred to notorious reivers in the West and Middle Marches as 'professed Christians' in 1586, when he was trying to pacify a cross-border bloodfeud. This was probably a slight exaggeration, but Forster was a Puritan and would normally have been expected to emphasize the reivers' ungodliness to further the need for local religious reform. The upland Borderers may not have had preachers, but this did not mean that they were unchristian, and 'ignorance' did not necessarily imply backwardness in religious knowledge (though it perhaps referred to Catholicism). However, the true extent of Christianity in the upland regions of the Borders cannot be satisfactorily determined because of a lack of sources.²⁰

By the 1590s there were still vacancies and inadequacies in north Northumberland and North Durham. The vicar of Bamburgh died in 1590 and was replaced by a curate; Alnmouth, Ellingham and Lowick only had curates²¹ and Ingram was served by the vicar of Whittingham. Berwick relied upon the governor appointing a preacher, who was paid by the crown but whose church was large enough to hold only a third of the parishioners.²² Other churches were also structurally in poor repair, whilst Rennington had

20. CBP, ii, no 228. See pp. 339-42, 350-54 below. G. Carleton, The Life of Bernard Gilpin, pp. 19, 26. D. Marcombe, 'Bernard Gilpin: Anatomy of an Elizabethan Saint', NH, 16 (1980).

21. NCH, i, p. 95; ii, pp. 285, 491; xiv, pp. 86, 461. CBP, ii, no 631.

22. Berwick parish church was demolished during Henry VIII's reign to make way for new fortifications. The new church was apparently only large enough to allow a third of the congregation in for worship and it was in need of repair in 1560. BR0 B6/11 f. 12. HMC, Salisbury, xv, pp. 351-2. J. Scott, A History of Berwick Upon Tweed, pp. 351-2.

the distraction of a 'tiplinge House', to which many resorted in service²³ time. Only Alnham, Berwick, Branxton, Eglington, Embleton, Ford, Kirknewton, Lesbury, Longhoughton, Norham, Rothbury, Shilbottle and Wooler²⁴ had permanent vicars after 1577. This total of twelve in north Northumberland and North Durham is rather more than the 'three or fowre preachers in the whole shire' commonly exaggerated in reports in 1587 and 1597, but it was obviously far less than was needed to serve the churches²⁵ and challenge recusancy.

The Protestant gentry must have been affected by the lack of clergymen, but they do not seem to have been influenced by seminary priests and reverted to Catholicism in great numbers. They must have been patient and waited for occasional sermons if there was no preacher in their parish. Chatton for instance in 1598 'had but one sermon these xii²⁶ monethes' because their vicar was ill.

The Catholic gentry came to rely on itinerant seminary priests to serve their religious needs, who had conveniently arrived in the area during the early 1580s as the old Marian priests and Scots were dying out, or being ousted from their local charges. The shortage of Protestant preachers was therefore no concern to the Catholic gentry families in the locality. Indeed this shortfall was beneficial to the Catholic gentry as

23. NCH, ii, p. 163. Church repairs are discussed on pp. 24-5.

24. *ibid*, ii, pp. 70, 391, 444; v, p. 434; xi, pp. 103, 126, 286, 365; xiv, pp. 364, 570; vx, p. 319.

25. AA, 4th ser, xli, p. 133. CBP, ii, nos 171, 184, 881. Preachers supposedly appointed to confer with recusants indicted at Alnwick in 1592 were ineffective, probably because of the general lack of Protestant clergy in the Eastern English Borders.

26. DDR ii, 4, f. 94.

they could not be registered as missing from church on Sundays if there was no service to go to. Catholic gentry can be identified from wills surviving in the probate registry at Durham, for until Barnes was appointed they could still invoke the saints in their wills.²⁷ These wills were published by the Surtees Society but the editors frequently omitted the datory clauses which contain the Catholic invocations.²⁸ There are also a number of wills, particularly after Barnes arrived in 1577, that are superficially Protestant as they list Catholics as supervisors and were probably only made in a Protestant manner to allow probate to be granted. There are, of course, genuinely Protestant wills that exalt the merits of Christ's death to help secure the testator's salvation.

Marriages between known Catholic families or alternatively between Protestant families often indicate their religious persuasion and also show a sense of religious community in north Northumberland and North Durham after the Elizabethan church settlement. However, the recusant rolls that were initiated in the 1590s are the clearest source for

26. DDR ii, 4, f.94.

27. See appendix nos 1-5, 7-9, 11-12, 14, 16, 18-20. These particular examples were not confined to the reigns of Philip and Mary when state Catholicism was introduced. Local Catholics were openly so both before and after this period. For further discussion of the use of wills as determinants of religious affiliation see M.C. Cross, 'The Development of Protestantism in Leeds and Hull, 1520-1640: the Evidence of Wills', *NH*, xviii (1982), pp. 230-8. G.L. Mayhew, 'The Progress of the Reformation in East Sussex, 1530-1559: the evidence of wills', *Southern History*, v (1983), pp. 38-67. M.L. Zell, 'The Use of Religious Preambles as a Measure of Religious Belief in the Sixteenth Century', *BIHR*, 1 (1977), pp. 246-9.

28. *SS*, ii (1835), xxxviii (1860), cxii (1906), cxlii (1929). The wills are now in the Dept. of Palaeography and Diplomatic, 5 The College, Durham.

identifying recusants.²⁹ As a financial measure against recusancy they were ineffective at first because the rolls were dependent upon the efficiency of the sheriff. Northumberland is absent from rolls 2 to 8 (1593-9), perhaps because the fines were paid to the Queen's Auditor on circuit, or successfully evaded by recusants, but they could also not have been collected through the negligence or connivence of the sheriff. The latter reason is feasible as the corresponding sheriffs - Ralph Gray (1593-4), Thomas Bradford (1594-5), Cuthbert Collingwood (1596) and Edward Gray (1597-8) - were all Catholics³⁰ and they would have been reluctant to persecute their families, kinsmen and tenants in order to extract fines. In 1600 the privy council, angered by the slackness of the sheriffs in pursuing recusants demanded that the bishop of Durham call 150 indicted recusants before him with the assistance of the wardens of the Marches³¹ rather than the sheriff

the Sheriff of Northumberland dothe not accompt in the exchequer or before somme Auditor and consequentlie there is no execution for their landes and goodes upon conviction as in other places, and partlie because they are verie hardlie apprehended by the Sheriff and his officers.

The bishop did ask the wardens to help but Sir Robert Carey, warden of the Middle March, complained that the instruction was leaked and 'three of the greatest got knowledge and left the March'.³² The lesser recusants did

29. There are no bishop's lists extant before this for Durham. The list in CRS, liii pp. 54-61 should, I think, be dated 1592 and not 1582, for it closely resembles the first recusant roll, but J.A. Hilton thinks it is 1595-6 in 'Catholicism in Elizabethan Northumberland', NH, xiii (1977), p. 53.

30. L & I, ix, p. 99. See appendix nos 39, 45, 66, 67. CSPDom Add, 1580-1625, p. 355. CBP, ii, no 631.

31. APC, xxxi, pp. 26-7. The council had found the local justices unhelpful in 1577, so it was not only sheriffs who were obstructive in county administration.

32. CBP, ii, no 1331.

turn up however, so Carey foresaw the recusant threat ending. He wrote that many 'yealded to cum to churche, th'others not very obstinat, but good hope of reformation...' ³³ Only Henry Haggerston of Haggerston defied the ecclesiastical commisioners (summoned for the occasion by the bishop) ³⁴ by refusing to pray for the Queen and was promptly imprisoned. This was the first time that the commissioners had made any impact on Northumberland and North Durham recusants. When they visited Newcastle in ³⁵ 1592 none of the recusants indicted by the first recusant roll appeared.

The recusancy rolls only list propertied persons who were worth fining so they are not a general guide to all the recusants of a county. There are many mistakes in the rolls concerning recusants' names, and the Catholics of North Durham are confusingly listed in the Durham list as well as under Northumberland. The fines levied do not seem to be consistent either, probably because the recusants were not watched for twelve months of the year. Nevertheless the burden on the gentry class was immense for a poor region and many of the local gentlemen and their wives would not have able to pay their fines, if they had wished to do so, or had been made to by the sheriff. The government's solution to ³⁶ non-payment was to sequesterate two-thirds of the recusants' estates.

There are only a few indications that the gentry conformed to avoid fines in the 1590s. William Carr of Ford sacrificed his religious convictions to protect his children from the Herons. He therefore left his children to the protection of the Protestant Lord Hunsdon, who would

33. *ibid.*

34. SP12/278/53. See appendix no 68.

35. P.Tyler, 'The Significance Of The Ecclesiastical Commission at York', *NH*, 2, (1967). S.J.Watts, *From Border To Middle Shire*, p. 79.

36. The recusancy roll fines are bracketed after each entry in the appendix. See also chapter three p. 249 and table three.

have ensured that they had a Protestant upbringing.³⁷ Cuthbert Collingwood of Branton appeared as a J.P. in 1602, so he must have either disguised his recusancy as a church papist or conformed. Margaret (or Eleanor) Hepburn conformed in 1592, but she reconverted and was listed again in 1601.³⁸ Michael Hepburn, her husband, rather than conform chose to avoid prosecution by conveniently changing address from his ³⁹bastle house at Hepburn to a house at Thirston. Other gentlemen of greater wealth than Hepburn used the same tactic, but they moved to different counties. Sir Cuthbert Collingwood of Eslington held lands in County Durham⁴⁰ and Francis Radcliffe of Cartington and Dilston held the lordship of Derwentwater, which included an island near Keswick.⁴¹ This island did not prevent Radcliffe from being warded at Durham in 1594, nor from being imprisoned at Sedbergh in 1599, but it did allow his large family to live there relatively undisturbed. None of them attended the local church and at least one of his children was baptised by a seminary priest. Radcliffe refused to conform and suffered severe financial retribution for this. His estates were the first to be two-thirds sequestrated in Northumberland in 1592, though he alone of all the local Catholics could have afforded the recusancy fines, if he had wished to pay them, (his⁴² lands in Durham and Cumbria were also affected). All these lands were

37. See appendix no 35 and chapter six appendix no 28. Similarly the children of Robert Clavering of Callaly had a Protestant guardian, probably as part of a deliberate policy to Protestantize recusant's children. See p. 335 below.

38. See appendix nos 50, 69.

39. CRS, liii, p. 58.

40. CBP, ii, no 217.

41. CRS, liii, pp. 58, 63. CSPDom, 1595-7, p. 354; *ibid*, 1598-1601, p. 362. See appendix nos 73, 74.

42. E377/1, E377/11 (Durham). ADM 74/85, the manor court roll of Dilston lists Francis Featherstonehaugh as the crown leasee. E401/1854. E401/1858. E401/1871. See chapter three, tables five and six.

still sequestrated in 1602. Radcliffe conveyed certain lands to Roger Widdrington on 18 November 1601,⁴³ probably to raise funds to pay his recusancy fines which continued along with his sequestration. His courageous defiance of authority must have brought him close to financial ruin, yet he was respected for his contempt. Even Tobie Matthew, bishop of Durham (1595-1606), admitted that Radcliffe was 'not unlearned' in theology,⁴⁴ when demanding that Lord Eure, warden of the Middle March, should frequent Radcliffe's company less. Radcliffe was fortunate not to have been sequestrated before 1592 for Jesuits were suspected to be in his house of Cartington in 1586 and this house was searched in 1587, but sympathy for Catholicism amongst the county's administration gave him a respite, unlike Catholics further south.⁴⁵ Northumberland Catholics were generally overlooked until the £20 a month fine was supposedly enforced in the county in 1591.

Lady Katherine Gray,⁴⁶ like Francis Radcliffe, was known to shelter priests. In her second home, Greencroft, near Lanchester in Durham there were 'many shifting contrivances'.⁴⁷ She travelled about the north of England to avoid detection and even eluded the earl of Huntingdon (president of the Council of the North) who had a notorious reputation for persecuting Catholics in Yorkshire, but she was finally arrested in 1598⁴⁸ by the bishop of Durham. It may well have been Huntingdon who

43. ADM 75/71.

44. SP59/36 ff. 179-80. CBP, ii, no 862.

45. ibid, i. no 458. APC, 25, p.127.

46. See appendix no 65.

47. Sadler Papers, ii, p. 205.

48. Huntingdon spearheaded the Council of the North's campaign to assist ecclesiastical authorities repression of Catholicism. M.C. Cross, The Puritan Earl, pp. 228-9, 236-8. and 'The Third Earl of Huntingdon and The Trials of Catholics in the North, 1581-1595', Recusant History, viii, (1966), pp. 136-46.

instigated a proceeding at the consistory court of Durham against Lady Katherine and her husband Sir Thomas Gray of Chillingham concerning their marriage. They had been married at Battersby Manor in Yorkshire, probably by Catholic rites as seminary priests denounced marriages in the Protestant church as being clandestine.⁴⁹ Witnesses swore that the wedding had been according to the reformed service, but as they were all kinsmen or servants of Sir Thomas they could well have been lying. It was really only after Thomas's death in 1590 that Lady Katherine was noticed for her defiant Catholicism. Her brother-in-law, Ralph Gray, who inherited Chillingham was a church papist with a recusant wife and family.⁵⁰ Chillingham was another hideout for priests in the 1580s and 1590s, but surprise searches by Sir John Forster were fruitless and he was not prepared to wait and starve the priests out. Forster,^{as} warden of the Middle March,⁵¹ had more immediate problems with the Scottish reivers. Ralph Gray was a strong contender for the office of warden of the Middle March after the enforced retirement of Sir John Forster, but his Catholicism blocked his path. Sir Robert Carey, who wanted the post for himself, wrote a lengthy letter to Cecil detailing Gray's recusant links in 1594.⁵²

Not a kinsman has he in the whole country but in heart are known to be papists. He is matched with a tribe known to be all recusants, and the worst subjects the Queen has, and some of them have proved traitors; his wife is Ardington's daughter of Yorkshire, Dave Ingelby is her uncle, and was kept in Northumberland by her means many a day unknown, and she has never come to church since he married her.

Ralph was allowed to be sheriff in 1594-54, but the wardenship eluded both him and Carey. The letter was not revealing new information to Cecil,

49. A. Morey, The Catholic Subjects of Elizabeth I, p. 151.

50. See appendix no 66.

51. CBP, i, no 458. CRS, liii, p. 150. Watts, *op cit.*, p. 79.

52. CSPDom Add, 1580-1625, p. 365.

because his father Lord Burghley had become a godfather to Gray's first son, William, in 1593. The circumstances surrounding this baptism illuminate the Gray's recusancy, as Burghley, directed Sir William Reed and John Carey to snatch the baby from his nurse and midwife, and give him a Protestant baptism.⁵³ The Grays were the leading family of north Northumberland, so Burghley realised the importance of enforcing conformity on them. Nevertheless with William's mother entertaining⁵⁴ priests it was unlikely that he would receive a Protestant education.

Searching for seminary priests and Jesuits was a frustrating occupation. They had definitely infiltrated north Northumberland in the 1580s and 1590s, but were seldom found. Sir John Forster headed the Northumbrian commission against Jesuits and seminarists, as he was a Puritan, whose ⁱⁿ permanence high office in the shire had been helped by adherence to Protestantism.⁵⁵ He knew of Jesuits in his March in 1582 and was annoyed that a captive priest had escaped. In 1592 he succeeded in⁵⁶ apprehending a Jesuit, but this was a rare happening in the Middle March. His Protestant zeal was rare amongst the local gentry. Only Forster, or perhaps Sir William Reed,⁵⁷ would have willingly offered exiled Scottish Presbyterian ministers and their followers hospitality in 1585, when they⁵⁸ were returning to Scotland. Forster impressed them at Alnwick for

53. See appendix, no 114. See chapter two pp. 201-02.

54. CBP, i, no 877.

55. See appendix, no 112. CSPDom, 1591-4, p.200. CSPDom Add, 1580-1625, p. 365. Forster's Puritanism may have developed through his friendship with the earl of Bedford (they were kinsmen by marriage).

56. CBP, i, nos 126, 458 (the great search of 1586). APC, xxii, p. 482. L. Stone, The Crisis of the Aristocracy, p. 252.

57. Reed was an outsider to the region, but he had risen to power through local office and land grants. Like Forster he was a puritan, but he was the only local gentleman to have religious paintings and books recorded in his inventory. See appendix, no 114.

58. Melville, Diary, p.227. G.Donaldson, 'Scottish Presbyterian Exiles In England, 1584-8', RSCHS, xiv (1962).

at the mides of dinner, began bathe to glorifie God....
 we war estonished to heir the mouthe of a waldlie civill
 man so opened to speak out the wounderfull warkes and
 prases of God.....

Forster was scathingly described as being 'a great heretic' in 1587 by Bernardino de Mendoza, the ambassador of Philip of Spain.⁵⁹ Forster's adherence to Protestantism, whilst being politically beneficial must have tested his loyalty to his kinsmen, many of whom were Catholic. His first wife was the aunt of Francis Radcliffe and his daughter, Grace, married William Fenwick of Wallington, a suspected Catholic.⁶⁰ When he was ordered to search Ralph Gray's house in 1594 he knew that his 'nearest friend' would be angry, (Ralph was the son of his step-sister), but he braggingly told Burghley that kinship would not make him negligent in his execution of the Queen's service. Forster also searched Cartington (Francis Radcliffe), Lemmington (George Beadnell) and Eslington (Sir Cuthbert Collingwood), but these searches stopped when Forster lost office as his successor, Lord Eure, was friendly with local Catholics.⁶¹

Other office-holders in Northumberland were also willing to subvert personal loyalties for the sake of political favour. Sir Cuthbert Collingwood was a church papist with a recusant family, yet he was willing to betray them in 1587, by reporting Jesuit activity in the Middle March, to win a political battle with Sir John Forster.⁶² The problem of priests in the area did not disappear as there were still Jesuits in the East March in 1597 and 1600 when they did 'lurk yet quietly

59. CSPSpain, 1587-1603, no 154.

60. See appendix, no 74. NCH, i, p. 156.

61. CSPDom Add, 1580-1625, p. 367. CBP, ii, no 631.

62. CBP, i, no 515. Cuthbert Armorer (no 43) also betrayed Jesuits in hiding during 1587. CSPDom Add, 1580-1625, pp. 231-2. Robert Carr of Hetton's offer to betray Jesuits, again in 1587, can only have been for political reasons as his record of Catholicism seems genuine. See appendix, no 46. See also chapter two pp. 192-99.

and manage their affayres in disguised habittes'.⁶³

Collingwood was ironically a member of the commission to inquire into recusancy in Northumberland, probably because he was publicly Protestant.⁶⁴ It is therefore not surprising that the measures against recusants made little progress in Northumberland. Co-operation was imperative for the legislation to work properly, but Collingwood was not the only suspect office-holder. Robert Clavering of Callaly was perhaps a Protestant but his wife's family were recusant, so he cannot have been an entirely trustworthy office-holder. The earl of Huntingdon referred to him as being 'well given to religion - a rare matter here' in 1586 and Sir Robert Carey thought him 'one of the sufficientest men on the whole border' in 1596.⁶⁵ Nonetheless his descendants were Catholic for three centuries and his wife only remarried a Protestant (Henry Guevara) because he was the guardian of her children.⁶⁶ In the 1580s Robert Roddam had been a county coroner, Henry Haggerston was a commissioner for Exchequer depositions and in the 1590s Thomas Bradford was a recusancy commissioner.⁶⁷ The commission of the peace was purged in 1594, but church papists survived.⁶⁸

Northumberland was not alone in having Catholic office-bearers during the reign of Elizabeth. Sussex was a far less isolated county, yet it had Catholic justices of the peace and sheriffs and many of the Protestant gentry often had Catholic relatives.⁶⁹ In Lancashire geographical isolation helped Catholicism to linger, whilst Yorkshire had a strong recusant community with many others well disposed to Catholicism, if not

63. APC, xxvi, p.408. CBP, ii, no 1291.

64. SP15/32/50.

65. CSPDom Add, 1580-1625, p. 193. CBP, ii, no 351. See appendix, no 42.

66. NCH, xiv, pp. 527-8.

67. See nos 45, 68, 76. STAC5 C16/4. E134/23 Eliz/HIL 2. SP15/32/59.

68. C66/1421 m. 11d. SP13/F/11. See chapter two pp. 167-68.

69. R.B.Manning, Religion and Society In Elizabethan Sussex, pp. 242-51.

actually practising it. Yorkshire had very similar patterns of Catholicism to Northumberland, with Catholic (church-papist) office-holders and a population that was still predominantly conservative in religion at the accession of Elizabeth I. Although the persecutions were more severe in Yorkshire and stemmed from an earlier period, owing to the influence of Huntingdon, they failed to prevent the spread of recusancy and did not uncover crypto-Catholic Yorkshire J.Ps.⁷⁰

After the Henrician Reformation the maintenance of Catholicism in the north was positive until 1558 and this was particularly the case in Durham under Bishop Tunstall. It is arguable that Catholicism was prevalent in Northumberland well into the 1570s, because of 'survival'. This survivalism of the 1560s and 1570s is the subject of historical debate between J.Bossy and C.Haigh.⁷¹ Bossy argues that there was a period of conformity amongst English Catholics, followed by a rebirth of Catholicism with the arrival of seminary priests from 1574 onwards. Haigh revises and disputes this theory by arguing that there was a survival of Catholicism before the seminarists arrived. Haigh does admit however that the number of recusants increased after foreign-trained priests arrived.

Survivalism existed to a significant extent in Northumberland because there was a sizeable residue of surviving Marian priests to perform Catholic rites during the 1560s and 1570s; their numbers must have been sustained, if not increased by exiled Scottish priests.⁷²

70. C.Haigh, *Reformation and Resistance in Tudor Lancashire*, p.87. J.T.Cliffe, *The Yorkshire Gentry*, pp. 167 etc, 210-30, 240-4.

71. J.Bossy, 'The Character Of Elizabethan Catholicism', in *Crisis in Europe, 1560-1660*, ed. T.A.Aston. Bossy, *The English Catholic Community, 1570-1850*. C. Haigh, 'The Continuity of Catholicism In The English Reformation', P&P, xciii (1981), pp. 37-69. Haigh, 'From Monopoly to Minority: Catholicism in Early Modern England', TRHS, 5th ser, xxxi (1981), pp. 129-48.

72. See note 14.

Recusancy as such probably did not exist in Northumberland in the 1560s and 1570s because Catholics still went to church. However they were not conforming to the Elizabethan settlement as they would have attended Catholic services that had remained unchanged since the reign of Mary. The many priests noticed by Bishop Barnes in 1578 were 'massing priests' (i.e. old priests rather than seminarists) and he believed that more were hidden in the Middle March.⁷³ William Carr, brother of Robert Carr of Hetton⁷⁴ was a massing priest. He was in the countess of Northumberland's household and had fled with her to Scotland when the 1569 Rising collapsed. When trying to return to England in 1572 he was captured at Berwick by Hunsdon. He experienced a little of the punishment later meted out on seminary priests as Hunsdon thought he might 'put him to the rack a little'.⁷⁵ William's connection with the rebels of 1569 obviously did not help his case.

The Rising of 1569 was 'an avowedly Catholic revolt in an officially Protestant England'.⁷⁶ The poor support for the rebellion from the Percy tenantry in Northumberland, does not signify however that they were Protestant, as J.H. Hilton suggests.⁷⁷ The majority of the Percy tenants were Catholic, but they did not join the Rising through religious impulse. There were complex reasons for this, but principally the Percy tenants were very independent from their feudal superior, whom they regarded as an absentee, rent-collecting landlord rather than a social chieftain.⁷⁸ This

73. APC, x, pp. 79-80.

74. See appendix no 46.

75. CSPDom Add, 1566-79, p. 416. CSP For, 1572-4, no 472.

76. Beckingsale, op cit., p. 73.

77. J.H.Hilton, 'Catholicism In Elizabethan Northumberland', NH, xiii, (1977). p. 47. See also chapter six pp. 407-11.

78. For Catholic Percy tenants see appendix nos 12, 16-17, 19, 21, 26-7, 30-3, 36, 44, 50-1, 59, 61-2, 64-5, 67, 74-5. Many of these tenants were still Catholic in the 1580s and 1590s.

was akin to bastard-feudalism as it was a purely monetary transaction, but here there was absolutely no loyalty involved. The seventh earl of Northumberland was resident in Northumberland in the late 1550s and 1560s, but he did not manage to recover the status held by his ancestors in the region. He could not therefore have sheltered local Catholics from prosecution, as Hilton implies, for the surviving Catholics were simply not prosecuted at this time owing to the slackness of the bishop of Durham and the number of local justices who were Catholic. Many of the Northumberland justices of the peace were suspect in 1564.⁷⁹

Northumberland's return coincided with a period of open, undisturbed Catholicism, scarcely affected by the change of 1559. A Newcastle merchant had no reservations about leaving Catholic vestments to All Hallows Church in 1562, providing 'the old accustomed service be used',⁸⁰ and similar candidness was shown by Robert Collingwood of Eslington who⁸¹

devised the erection and contened for ever by my
hayres of a chantrie preste to celebrat in the parishe
churche of Whittingham at the altar of Saint Peter....

when he died in 1558. Collingwood clearly delighted in the reinstatement of state Catholicism under Philip and Mary. It is not known how long his chantry survived into Elizabeth's reign, but he must have thought that Catholicism had permanently returned. The church settlement of 1559 was easily ignored by many of the local gentry who continued to invoke the saints in their wills or request Catholic burial, until bishop Barnes was appointed to Durham.⁸² Thomas Collingwood of Eslington's defiant attempt to invoke the saints in his 1597 will was crossed out by a clerk to

79. Hilton, *op cit.*, p. 46. Hatfield MS C.P. 235/68.

80. *SS*, cxxi, p. 37. The will of Robert Brandling, a brother in law of no 38.

81. See appendix, no 11.

82. *ibid*, nos 12, 14, 16, 18-20.

enable probate to be granted.⁸³ Northumberland was not unique in having
 relics of Catholicism after 1559 for churches all over England continued
 to have Catholic fittings.⁸⁴

The survival of Catholicism in Northumberland, through Marian and
 Scottish priests would support Haigh's argument for 'survival' during the
 1560s and early 1570s.⁸⁵ However this contradicts, for the Eastern
 Borders at least, S.M. Keeling's theory that Catholicism was not enforced
 in the Borders during the 1550s and 1560s.⁸⁶ Faced with a choice of going
 to hear mass (by an impoverished curate) or not going to church at all
 because there was no vicar, the local gentry seem to have preferred the
 former. The Protestant gentry, who were fewer in number at this time,
 probably heard infrequent sermons by visiting pastors rather than from
 resident clergymen. By the time the spread of Protestantism finally took
 hold in the diocese, under Barnes' direction, the seminarists had already
 arrived to replace the old massing priests. Mass would no longer be said
 in local churches when Protestant vicars were appointed, so the
 seminarists moved the Catholic adherents to the safety of the houses of
 the local gentry. The survival of Catholicism in the area greatly helped
 the seminarists. They would not have had to convert many, for their main
 task was to sustain the loyalty of the local Catholics. Jesuits were
 blamed in 1587 for having 'thoroughly poysoned and infected' many gentlemen
 and 'their wieves, brethren, systers, children and kyndred.'⁸⁷ This did

83. See appendix, no 40.

84. C.Haigh, The Reign of Elizabeth, p. 197.

85. A.D.Wright comes to the same conclusion in, 'Catholic History, North
 And South', NH, xiv, (1978), pp. 126-151.

86. S.M.Keeling, 'The Reformation In The Anglo-Scottish Border Counties',
 NH, xv, (1979), p. 41. 'The Church And Religion In The Anglo-Scottish
 Borders Between 1534 and 1570', Durham Ph.D. 1975.

87. AA, 4th ser, xli, p. 133.

not mean that the gentry had recently been converted to Catholicism because it probably refers only to the insistence of Jesuits that Catholics should separate completely from the established church. Therefore instead of token conformity such as church papistry, many gentry would have adopted total abstinence from local churches.

Exactly how many gentlemen and their families were Catholic before 1574 is difficult to estimate as there was no account made by the dilatory officers of Northumberland. In north Northumberland and North Durham the majority of the gentry were Catholic in 1574 and the seminarists kept many of them faithful. In 1603 thirty-two traceable gentry families were still Catholic and thirty were Protestant, so there was a clear division between Catholic and Protestant communities, but no distinct majority. The population as a whole were probably Protestant in 1603, but not greatly so. R.G. Usher estimated that the number of open and secret Catholic laymen in Northumberland in 1603 was 85%.⁸⁸ This figure is too high, but⁸⁹ Watts and Hilton are too quick to assume a Protestant majority. The Spanish agent de Mendoza described Northumberland in 1586 thus, 'The people are all Catholic or schismatics...'⁹⁰ Allowing for his obvious political intention this report still leaves the impression that Northumberland looked Catholic in the 1580s and the concentrations of Catholic gentry had, after all, alarmed Hunsdon and others in the 1580s.⁹¹

The Jesuits had targetted gentry households as future Catholic communities when they first arrived in 1581. This effectively cut off the lesser Catholics, who probably would have conformed. Catholicism was

88. R.G. Usher, *The Reconstruction of the English Church*, i, p. 135.

89. S.J. Watts. *op cit.*, p.86. J.A. Hilton, 'Catholicism In Jacobean Northumberland', *Northern Catholic History*, vii (1978), pp. 10-19.

90. *CSPSpain*, 1580-6, no. 470.

91. See notes 6, 9, and 11.

therefore destined to be a gentry movement and in Northumberland it was well on its way to becoming this in 1603, with recusancy fines being enforced. It was not a minority movement in 1603, but it would be by 1625. Bossy elaborates the Catholic gentry household correctly, but a sense of 'community' did not begin, as he argues, with the seminarists. Survival Catholics had a sense of community and this was particularly apparent to the west and south-west of Alnwick, where the Beadnells, Collingwoods, Radcliffes and Swinburnes lived. They had marriage links with other Catholic communities in the region. For instance Anne Beadnell of Lemmington near Alnwick married Henry Haggerston of Haggerston in North Durham.⁹² The Collingwoods are a particularly good example of a Catholic⁹³ community, for their kin group had 'not one good Protestant' in 1606.⁹³ A few of them were actually Protestant but the majority of the kin were Catholic. Priests probably went between their houses. In these communities it was not just the immediate families who were Catholic. Their tenants and servants may well have been Catholic as well. In recusant roll 10, forty non-gentry persons are listed in Edlingham, which was the domain of the Swinburnes.⁹⁴ Marriages amongst Catholic gentry were commonplace, as in other counties, and are often proof of recusancy.⁹⁵ There were a few mixed marriages, such as between William Reed (son of no 114) and Anne Collingwood (daughter of no 39),⁹⁶ which were obviously arranged with property, rather than religion, as a priority.

The role of women in the recusant family was a strong one. They

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92. See appendix, nos 23, 68. Alice Beadnell(Conyers) borrowed money from her good Catholic friend Ralph Gray of Chillingham. CHL CAS DOCS no 6
 93. *ibid* nos 11, 24, 36, 39-40, 47-56. CRS, liii, p. 152.
 94. *ibid* nos 17, 77.
 95. A. Morey, *op cit.*, p. 136.
 96. SS, xxxviii, p. 268.

often were the main source of Catholicism in the household, especially if their husbands were church papists. Ralph Gray⁹⁷ may have only gone to the local parish church of Chillingham for financial preservation, but this made him a 'schismatic' in the seminarists' opinion. Therefore his recusant wife Jane was left to uphold Catholic values in their household. She never went to church and brought up her children as Catholics with the assistance of the priests that she sheltered. The activities of Dorothy Lawson at St Anthony's, near Newcastle were more open for she went around converting her neighbours and was thought worthy of canonisation by her biographer.⁹⁸

The north Northumbrian Catholics do not seem to have sent any of their sons abroad to be educated at the seminaries established from 1577 onwards. Robert Walker of Berwick on Tweed is the only local priest, but he was the son of a Protestant Yorkshireman of the garrison.⁹⁹ Younger sons of the local gentry may not have gone abroad because of musters, at which they would have been missed, or because their parents had insufficient incomes to support them. The children of the leading gentry were certainly watched closely by government officials, as the Gray baptism suggests.¹⁰⁰ For the Protestant gentry placing sons or kinsmen in vacant benefices was a right of patronage. William Carr of Ford presented his kinsman Thomas Carr to the rectory of Ford in 1581,¹⁰¹ but Carr was later suspected of Catholicism and his uncle Robert Carr of Hetton had murdered a previous vicar in 1576, so this presentation may not

97. See appendix, no 66.

98. W. Palmes, The Life of Mrs Dorothy Lawson.

99. CRS, liv p. 11; ibid, xxxvii, p. 114. G. Anstruther, Seminary Priests, i, p. 365.

100. See pp. 332-33.

101. See appendix no 35. Durham Consist. Ct. Act Bk, 1581-2, (Prior's Kitchen), ff. 7-8. NCH, ii, p. 432.

have been for Protestant purposes.¹⁰² John Clavering, second son of the Catholic Robert Clavering of Callaly, adopted the reformed faith to progress in the church and became vicar of Gamlingay in Cambridgeshire in 1590. William Selby's presentation to both Berwick and Norham in 1597, by his Protestant relations, was similar to that of Robert Selby in 1541.¹⁰³

The Protestant clergy were sometimes the victims of violence in Northumberland because they were Protestant, but also because of general indiscipline in the parishes. Edward Colston, vicar of Chatton, had to go twice to the consistory court at Durham in 1578 and 1580 to force Thomas Swinhoe of Goswick and Sir Cuthbert Collingwood of Eslington to pay him¹⁰⁴ £51. Both gentlemen were Catholic and were obviously reluctant to pay a Protestant vicar. Feuds, such as between the Heron and Lisles and the Catholic Grays and Protestant Selbies, proved how disrespectful the gentry could be for the sanctity of the church.¹⁰⁵ Thomas Forster was equally disrespectful to the clergy in 1600 when he was presented at a visitation at Bamburgh for 'strickinge the minister there (Tughall) upon the heade with his dagger'.¹⁰⁶ The unfortunate vicar also had John Forster presented for 'rideninge into the churche on horseback in service time'. The church was still disregarded in 1603 when Cuthbert Horsley of Lucker was presented for fighting 'within the churchyard on the Sabbath day'.¹⁰⁷

The gentry's moral standards were not perfect either, as there was a high incidence of illegitimacy, regardless of their religious persuasion.

102. See appendix, no 46. *APC*, xi, p.291.

103. C66/1340 m. 39. *CSPDom*, 1595-7, p. 458. Carey, *Memoirs*, p. 37.

104. See chapter six, appendix nos 244, 246. The £51 was perhaps his stipend. See also this chapter's appendix nos 39, 78.

105. See chapter six, appendix nos 25, 29.

106. *DDR* ii, 4, f. 135.

107. *DDR* ii, 5, f. 38.

Illegitimacy was not just a Northumbrian characteristic, but they had plenty of mistresses and bastard children. Cuthbert Ogle, parson of Ford and founder of the Ogles of Eglington endowed Isabel Musgrave his 'servant' like a wife in his will because she was his long standing mistress and the mother of his four sons.¹⁰⁸ Sir Ralph Ellerker of Hulne left 2s 6d in his will to 'the woman that company's with me'¹⁰⁹ and even Sir John Forster, the virtuous Puritan, went to the consistory court at Durham to legitimize his son Nicholas, the son of Janet Buickes.¹¹⁰

The gentry's slackness in moral matters was also reflected in their attitude towards repairing church buildings. Local gentlemen who were also lay rectors were supposed to repair the chancel (choir) of the church to which they held title. Other gentlemen in the parish were supposed to contribute to general repairs.¹¹¹ Both Protestant and Catholic gentlemen were reluctant to undertake repairs, the former because of the costs involved and the latter through their break with the established church. From 1596 to 1598 the following Protestants refused to contribute; Ralph Selby (Chatton), William Selby (Newton and Ilderton chancels), Sir William Reed (Ancroft chancel), Sir John Forster (Alnmouth, Lesbury, Longhoughton, Lucker, Shilbottle, and Warkworth chancels), John Burrell (Newton), William Wallis (Newton chancel), Luke Ogle (Eglington), Matthew Forster (Tughall curate's house), William Strother (Newton chancel, for which he was threatened with excommunication).¹¹² The Ords, Mortons and Reveleys all refused to contribute to the repair of Holy Island.¹¹³ The Catholic refusers were Ralph Gray (Chatton and Ilderton chancels, and

108. ADM 75/71.

109. See appendix, no 14.

110. DDR iii, 5. unfoliated. 9 July 1596. See chapter two pp. 163-65.

111. R. Phillimore, *The Ecclesiastical Law*, ii, p. 1777.

112. DDR ii, 4, ff. 27, 33, 86, 87, 90, 105. DDR ii, 5, ff. 11, 13, 14.

113. Raine, *ND*, p. 148.

Belford where he owed 22s), Roger Gray (Ilderton) and Thomas Swinhoe (Holy Island and Cornhill chancels). John Craster of Craster seems to have been one of the few gentlemen to undertake repairs, as he owed 10s to a local glazier for work in the choir at Embleton in 1601.¹¹⁴

Regular services at Newton (Kirknewton) must have been difficult as the local gentry ignored requests to repair it in 1595 and continued to refuse, for in 1601 the church had 'no church dores glass winedowes nor belles nor pulpitt'.¹¹⁵ Berwick was too small and falling down, but they at least had a resident vicar and as Protestants they should have been more conscientious about church repairs. The many churches reported to be ruinous in the 1590s must have been useable to some extent as Sir John Forster ordered a letter to 'be openly read and published in the several parish churches', in 1593.¹¹⁶ The miserly local gentlemen seemingly forgot to repair churches under their patronage if the building was still able to stand, disregarding the condition of the church's interior.

Avarice was the major reason for the gentry's refusal to contribute to church repairs. They were also too eager to take leases of monastic and churchland or tithes, for the benefit of themselves rather than the church, which badly needed resources. The Queen herself did not help the progress of Protestantism in the diocese by seizing huge land grants from the Dean and Chapter in 1560,¹¹⁷ which she used to reward her favourites. Lord Hunsdon, the governor of Berwick and warden of the East March was a cousin of the Queen and thus gained the tithes of Norham and Islandshire in 1571, which subsequently passed to his sons William and

114. DPRW 1601. DDR ii, 4, ff. 26, 86, 90, 95, 102. DDR ii, 5, 12, 14, 22.

115. DDR ii, 5, f. 33. See also note 105.

116. CBP, i, nos 191, 240.

117. CSP Dom Add, 1601-03, p. 214. CPR, 1560-3, p. 120.

Sir Robert Carey.¹¹⁸ Local monastic leases had been sought by the gentry
 before the Dissolution.¹¹⁹ Alnwick Abbey granted long-term leases in the
 1530s, with a foresight of closure, to Sir Cuthbert Radcliffe, John
 Roddam, George Beadnell, John Selby, Sir Roger Gray and Sir Robert
 Ellerker amongst others.¹²⁰ Later, when divisions between Catholic and
 Protestant were more prominent, the descendants of these leasees still
 held monastic land. Sir John Forster's rise to wealth (and notoriety)
 began with his purchase of monastic land in Bamburgh in 1541 and Sir
 William Reed was discharged £50 annual payment of the tithes of Holy
 Island parish, as a mark of favour.¹²¹ Greed did not stop Catholic gentry
 from taking monastic land¹²² and the numerous feuds over tithes show how
 much these leases were valued by both Catholics and Protestants.¹²³

Overall, support from the gentry of north Northumberland and North
 Durham for the actual spread of Protestantism was very poor. Greed,
 Catholic^{Survival} and the lack of Protestant clergy were the major contributors to
 the slow growth of the Reformation. Bishop Barnes took the first real
 initiative towards establishing majority Protestantism in the diocese of
 Durham, but he found this a long struggle with Catholic survival and
 poorly endowed cures. By 1603 Protestantism had taken hold of the
 population as a whole, but c. 50% of the gentry were still Catholic, in
 spite of the recusancy fines and sequestrations.

118. Raine, ND, pp. 30-1.

119. The monastic leases are discussed in chapter three pp. 207, 209.

120. Tate, Alnwick, ii, pp. 27-8.

121. E318/10/450. CPR, 1578-80, no 1301. L & P HEN VIII, xvi, p. 727.

122. e.g. John Carr of Hetton (E318/7/246), Robert Collingwood of
 Eslington (E318/27/1534), Robert Roddam, Tristram Fenwick, and Sir
 Thomas Gray (E310/21/107) and Ralph Gray (E310/21/109).

123. See chapter six, appendix nos 166, 176, 180-84, 189-91, 196.

SCOTLAND

The Reformation in the Scottish Eastern Borders made greater progress than across the Border, but the spread of Protestantism was still not rapid for, like Northumberland, many parishes were poorly endowed and served by readers and exhorters rather than ordained ministers.¹²⁴ Catholicism did survive here, but not as effectively as in England. It was centred on the nobility and great lairds in Scotland and in this area the adherents were the fifth and sixth Lords Home and Sir Thomas Ker of Ferniehirst. They did not have a groundswell of support from their kinsmen, who were overwhelmingly Protestant, unlike the Grays and Collingwoods of Northumberland who received good support from their kin. The Scottish Catholics were more fortunate than their English counterparts where retribution was concerned for Scottish legislation against recusants was tame by comparison with English repression and there is no equivalent of the recusancy rolls in Scotland. Although the Scottish Catholics in the Eastern Borders were a minority there is a wealth of material about them, for they were powerful men who naturally attracted attention. An appendix is unnecessary because there were far more Protestant lairds than Catholic and evidence of faith is very difficult to ascertain. Scottish wills give little indication of post-Reformation Catholicism as the preambles are mostly neutral and some were overtly Protestant.¹²⁵ The Scots were not ostentatious about death and therefore kept their wills and funerals

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124. A reader could only read prayers and homilies, whilst an exhorter could preach, but was not allowed to administer the sacraments. After 1574 exhorters were replaced by readers with wider functions.
125. APS, iii, p. 72. This was the Act of Conformity which insisted that all office-holders subscribe the 'negative' confession of 1581, which denounced Catholicism. F.D. Bardgett, 'Faith, Families and Faction'. Edinburgh Ph.D. 1987, pp. 398-403.

simple. Marriages amongst the lairds were predominantly by Protestant rite after the Reformation. The lairds who were convinced Protestants are found in the records of the General Assemblies of the Church of Scotland or as commissioners for investigating Jesuit activity. Lesser Catholic lairds were effectively barred from holding office, unlike the church papist gentry in Northumberland. However nobility, such as the sixth Lord Home could hold office with scant regard for the reformed church, purely because their social position and royal patronage put them beyond the immediate grasp of the General Assembly of the Kirk. The lairds, particularly the Home and Ker lairds, found social and political ascendancy only possible when harnessed to a firm adherence to the reformed kirk. They put their sons into the ministry and outwardly supported the church and its morality. Nevertheless these lairds had illegitimate offspring and could argue as ferociously over churchlands and teinds (anglice tithes) as the English gentry. Matters of church repair, however, were mostly blamed on Catholics such as the sixth Lord Home, rather than Protestant lairds.

John Knox heralded the arrival of the Reformation in the Borders in
¹²⁶
 September 1559.

And now, Christ Jesus is begunne to be preached
 upon the south borders.... in Jedburgh and Kelso
 so that the trumpet soundeth over all.....

This was only a beginning however and the relatively slow progression in the Borders must have disappointed Knox. He had thought the task
¹²⁷
 uncomplicated, for a preacher in Berwick would find,

126. Knox, Works, vi, p. 78.

127. CSP Scot, i, no 488.

the favouris of the most part of the gentlemen of the
East and Myddle Bordouris.... yf the hartes of the
bordoraris of both partes can be united together in
Goddes fear, our victoirie.... shalbe easy.

This assumption was probably based on the groundwork of the 1540s, when the English garrisons in the Scottish Borders actively promoted Protestantism amongst the local people and the 'assured Scots' in particular. If the majority of the lairds were predisposed to the new faith then the small number of Protestant ministers in the area at the Reformation would have frustrated them. Of all the eighty-three parishes in the Merse and Teviotdale there were only seventeen reformed clergymen in 1563, twenty-seven in 1568 and seventy-seven by 1574. The stipends of many parishes were poor as most church revenue was appropriated. In the Merse only five out of thirty-eight parishes were unappropriated and in
128
Teviotdale ten out of thirty-eight were unappropriated.

Keeling's figure of seventy-seven Protestant clergymen in 1574 is striking, but it is deceptive as many of these men were only readers and some of them did not adhere to the reformed church, or only conformed
129
after 1560. In 1574 the Eastern Borders
130
had only seventeen churches with ministers, thirty-six with readers and there were seven vacant

128. M.H. Merriman, 'The Assured Scots', SHR, xlvii (1968), pp. 10-34. See chapter one pp. 91-96.

S.M.Keeling, op cit., NH, 15, pp. 28, 49-50.

129. M. Lynch, 'Calvinism in Scotland, 1559-1638' in International Calvinism, ed. M. Prestwich, p. 229. NLS ADV MS 17.1.4. ff. 50-7.

130. I estimate this area to be c. 60 parishes, viz;- Abbey St Bathans, Ancrum, Ayton, Bunkle and Preston, Channelkirk, Chirnside, Coldingham, Coldstream, Crailing, Cranshaws, Duns, Earlston, Eckford, Eccles, Ednam, Edrom, Ellem, Fishwick, Fogo, Foulden, Galashiels, Gordon, Greenlaw, Hilton, Home, Hownam, Hutton, Jedburgh, Kelso, Langton, Ladykirk, Lamberton, Lauder, Legerwood, Lempitlaw, Linton, Longformacus, Longnewton, Makerstoun, Maxton, Melrose, Mertoun, Mordington and Lamberton, Morebattle, Mow, Nenthorn, Nisbet, Oxnam, Polwarth, Roxburgh, St Boswells, Simprim and Lennel, Smailholm, Sprouston, Stitchill, Swinton, Upsettlington and Horndean (united 1600), Westruther, Whitsome and Yetholm.

131
 pulpits. Some of these ministers and readers were, however, pluralists, so the progress of Reformation was still far from completion. The position may have temporarily worsened after 1574 when readers began to die off. In 1585 there were twenty-seven ministers (nine of whom were pluralists) out of forty-one churches and Linton, Mow, Greenlaw, Legerwood, Earlstoun and Hownam only had readers. However by 1590 the situation had improved as there were forty churches with ministers, seven with readers and thirteen vacancies, but again six of the ministers were pluralists and the number of vacant churches had increased. The General Assembly concluded in 1588 that the lack of ministers had helped recusancy arise in remote areas, such as West Teviotdale, but the Eastern Borders were relatively unaffected by this. A few parishes in the Merse, such as Greenlaw, only had a reader after the Reformation. He died in 1590 and was replaced by another reader who died in 1599, so Greenlaw did not have a minister until 1603. Greenlaw's patron, however, was the sixth Lord Home, a noted Catholic. The Teviotdale churches had a worse record of resident ministers, yet by 1601 there had been a great improvement as most of the parishes had ministers. There were still some pluralist ministers, but the maximum number of their charges was two, in comparison with some multiple pluralism in 1574, and Makerstoun alone had to rely solely upon a
 132
 reader.

Protestantism did become the religion of the majority in the Eastern Scottish Borders more rapidly than in the Eastern English Borders, (where there were only twelve resident preachers in the late sixteenth century),

131. Figures based on Scott, Fasti, vols ii, viii.

132. E47/3. E47/8. Scott, Fasti, ii, p. 18.

but overall progress was slow. The majority of the lairds were Protestant by the 1570s. A report in 1560 that noted the Home and Kers were not Protestant is somewhat exaggerated, but it is true that there were a few Catholic lairds in Teviotdale. However it was not a religiously divided community, like Northumberland. During the 1560s a few of the Merse lairds wavered between the old and new faiths, but as the increase of Protestant ministers was more pronounced in the Merse, more lairds supported the reformed church as a result.¹³³ However the remote upland areas of Teviotdale did resemble Northumberland for they had an acute shortage of reformed clergymen and ^alingering Catholicism that was bolstered by Jesuit activity in the 1580s. Teviotdale was not seen as a bastion of the reformed kirk as¹³⁴

The greatest part of the kirks want ministers, and the word altogether vilipended by the gentlemen of the countrie.

John Knox had not reckoned on the disaffection of so many lairds in the Middle March. This report was however referring to the whole shire of Roxburgh (Teviotdale), which exaggerates the Catholicism of East Teviotdale. Here the Kers of Cessford and their allies were Protestant and only the Kers of Ferniehirst were Catholic. The reivers who said 'thair prayeris and pray thair Beides'¹³⁵ before raiding were not from East Teviotdale. They were probably from the Western Borders where the progress of Reformation was even slower. Nevertheless observations like this prove that the upland reivers were Christian, rather than ignorant,

133. I.B.Cowan, The Scottish Reformation, pp. 165, 176. A shortage of qualified clergy and financial difficulties inevitably led to a slow spread of Protestantism throughout Scotland. HMC, Salisbury, i, p. 174.

134. Calderwood, History, iv, p. 662.

135. Lesley, History, i, pp. 101-02.

and the archbishop of York even noted, with some surprise, that Teviotdale
¹³⁶
 pledges were 'Christian' in 1598.

Several old priests did survive the Reformation in the Merse and East Teviotdale. Sir John Black in Bunkle, sir John Affleck in Greenlaw, Dene Robert Mylne in Mertoun, John Forrest in Swinton, sir Andrew Currie in Westruther (Bassendean), sir Hew Hudson in Whitsome, William Johnston in Ancrum, sir James Douglas in Crailing, John Brown in Ednam, Sir William Ainslie in Maxton, Sir Robert Wilson in Morebattle, William Ormiston in Nenthorn (who was a minor laird in his own right at Easter Muirdean), Sir
¹³⁷
 Thomas Ker in Roxburgh, Sir James Williamson in Yetholm. They were not allowed to remain in these charges as ministers for they all were summoned to appear before the privy council in 1569, but some may have become readers, for there was a surge in their numbers during 1567-74. The Scottish privy council's response to remaining Catholic clergy was definitely quicker than in Durham, where many remained in 1577. Only a few of those summoned appeared to answer the charge of profaning the sacraments. Ainslie, Affleck, Mylne, Ormiston and Johnston outwardly conformed and were appointed readers in their parishes. Hudson became an exhorter. Ker was deposed and replaced by a minister, but he remained in the parish and was summoned in 1582 for saying mass and still persisted in
¹³⁸
 1589. Williamson was also deprived and persisted until 1590, when he was excommunicated. The reinstatement of five suspects as readers in 1569

136. I.B. Cowan, 'The Reformation In Dumfriesshire', TDGAS, 3rd ser, lvi (1981), pp. 82-90. CBP, ii, no 1031.

137. RPC, ii, p. 40. Scott, Fasti, ii, pp. 18, 59, 68, 82, 86, 94, 98, 165. NLS MS 17.1.4 ff. 50-7.

138. Calderwood, History, iv, p. 662. Pitcairn, Trials, i, pt 2, pp. 35, 190. RPC, iv, p. 522.

shows how badly clergymen were needed in this region, for if there had been competent ministers available they would not have been trusted to return. Two other cases of mass still being said after the Reformation, this time at the instance of lairds, occurred at Ettrick (1560) and Fishwick (1563), where John Pringle of Galashiels and David Home of Fishwick were respectively patrons.¹³⁹ Both lairds conformed by the end of the 1560s, so these examples are not conclusive proof of post-Reformation Catholicism.

Ker and Williamson were the only 'old' priests remaining by the 1580s and their followers must have been small in number. Incoming Jesuit priests were, as in England, confined to the houses of the propertied men such as Ferniehirst. The numbers of Catholics in East Teviotdale must therefore have greatly decreased by 1580. The Teviotdale Catholics referred to in 1588 must have mostly been in the Western half of Teviotdale. Jesuits were smuggled across the border by recusant gentry and lairds. Robert Carr of Hetton had an established contact with William Ker of Linton for conveying Jesuits in and out of Scotland in 1586.¹⁴⁰ Robert Parsons, one of the leading English Jesuits, visited Scotland in 1581. The account of his journey shows how the Reformation had become established in East Teviotdale. He crossed the Border in the Middle Marches and proceeded to Cessford Castle, the home of William Ker, where he stayed for a night. Ker was a convinced Protestant and had no fewer than three ministers at his table, who debated with Parsons.¹⁴¹ As

139. BUK, i, pp. 6, 40.

140. See appendix, no 46. CBP, i, nos 458, 515, 519. HMC, Salisbury, iii, p. 135.

141. Cessford's kin were Protestant, with the exception of his uncle Mark Ker of Newbattle whose children were all Catholic. Newbattle's son George was a priest, who was caught with the Spanish Blanks, and two of his children married into the strongly Catholic Maxwell family. SP, v, pp. 455-6. Spottiswoode, History, ii, p. 425. Stair Soc, xxx, pp. 46-7. SP52/42/27.

the Jesuits had only just arrived in the country little was known of them and no one apprehended Parsons, (who was using an assumed name anyway). Parsons stopped next at the house of James Seton at Greenknowe, who reportedly returned to Catholicism forthwith, but this was an exaggeration¹⁴² for Seton was a commissioner for papistry in 1589. The subsequent activities of Jesuits in the Scottish Eastern Borders were noticed by¹⁴³ Border officials as they were outlawed, but their success was minimal. The only local laird to be convincingly reconverted was Sir Thomas Ker of Ferniehirst, but the priests continued to come across the Border as Robert Roddam of Roddam brought a suspected priest to Sir John Ker of Hirsell's house at Spylaw in 1592. Ker may not have been a Catholic, but his excommunication from the kirk would have made him sympathetic towards¹⁴⁴ priests.

At the time of the Reformation it was not possible to so clearly define lairds as being either Protestant or Catholic, for political expediency rather than religious persuasion was often the priority of the Reformers. In 1560 the following Eastern Border lairds supported the ideal of Reformation: William Douglas of Bonjedward, Alexander fifth Lord Home, Sir John Home of Cowdenknowes, Patrick Home of Polwarth, Sir David Home of Wedderburn, Sir Walter Ker of Cessford, Andrew Ker of Faldonside,

142. W. Forbes-Leith, Narratives of Scottish Catholics, pp. 168-70. RPC, iv, p. 465.

143. CBP, i, nos 457, 760. CSP Scot, vii, no 19 (reports the arrival of two Englishmen at Ferniehirst, who were probably priests). CSPDom Add, 1580-1625, p. 111. J. Durkan, 'William Murdoch And The Early Jesuit Mission in Scotland', IR, xxv, (1984) pp. 3-11. APC, iii, p. 232-3.

144. Another Catholic laird, Andrew Edmonston of Ednam, was really a Midlothian laird, being Edmondston of that ilk. Calderwood, History, iv, p. 662. HMC, Salisbury, iv, pp. 31, 188. See appendix, no 76.

George Ker of Linton, Sir John Ker of Ferniehirst, Thomas MacDougal of Makerstoun, George Nisbet of that ¹⁴⁵Ilk, John Rutherford of Edgerston and John Swinton of that Ilk. All the members of this parliament and the preceding group were not necessarily Protestant. However these Border lairds were all Protestant, with the only exception being the fifth Lord Home. Again in 1560 a bond 'to set forward the reformation of religion' was signed by Cessford, Ferniehirst, Nisbet and Wedderburn, along with Alexander Home of Manderston, Robin Ker of Ancrum and John Rutherford of Hunthill, who make their first appearance as supporters of the ¹⁴⁶Reformation. The first sign of dissent amongst the Border lairds was apparent in December 1560 when Home, Andrew Home, commendator of Jedburgh, Sir Andrew Ker of Hirsell, Gilbert Ker of Greenhead, Sir Nichol Rutherford of Hundalee, James Ormiston of that Ilk and Sir James Cockburn of Langton attended a convention at Dunbar to discuss the possible return of Mary, Queen of Scots. Nevertheless, it was still unclear exactly who was ¹⁴⁷Protestant or Catholic.

One of the first priorities of the General Assembly of the reformed kirk was to encourage the lairds and nobility to further Protestantism. They were assisted on many occasions by Andrew Ker of Faldonside, who was a signatory of the kirk's First Book of Discipline and married the John Knox's widow. Other socially ambitious lairds also helped the General Assembly, such as Sir James Home of Cowdenknowes (son of Sir John) and ¹⁴⁸George Home of Wedderburn (son of Sir David). The uncertainties of

145. G.Donaldson, All The Queen's Men, p.162. APS, ii, pp. 525-6.

146. CSP For, 1560-1, no 792. CSP Scot, i, no 751. Knox, History, i, p. 316.

147. CSP Scot, i, no 934. The situation in the 1540s was also unclear as assured Scots could have feigned Protestantism to please the English.

148. BUK, pp. 52, 164, 203, 290, 352, 418, 436, 470, 526, 532, 544, 704, 707, 873. CC8/8/33 (Ker's will was witnessed by three ministers).

1560 were soon past for these lairds were genuinely committed to the reformed kirk. The Teviotdale representatives in 1581 were William Ker of Cessford, Cowdenknowes, Nichol Cairncross of Calfhill and Andrew Rutherford of Hundalee, who with the exception of Cairncross had all followed their fathers in promoting Protestantism.¹⁴⁹ It is important also to note that these representatives were all from East Roxburghshire. These second generation reformers had their opportunity to openly support an ultra-Protestant faction in 1582 when Home (reluctantly), Cessford, Cowdenknowes, Faldonside, Alexander Home of Huttonhall and Manderston signed the bond that led to the kidnapping of James VI from the allegedly Catholic Lennox faction, better known as the 'Ruthven Raid'.¹⁵⁰

When the problem of Jesuits was noticed 'godlie and weill affected persons' were appointed as commissioners to detain them in the shires. For the Merse Patrick Home of Ayton, Cowdenknowes, John Home of Huttonhall, Wedderburn, Patrick Cockburn of East Borthwick, James Seton of Greenknowe and Thomas Cranston of Morriston were appointed and the Roxburgh (Teviotdale) commissioners included Sir Robert Ker of Cessford,¹⁵¹ George Douglas of Bonjedward and Faldonside.

The Home and Ker lairds were consistent supporters of the reformed kirk from its early days. The Homes were mistaken as being supporters of the Catholic earls in 1594, because the sixth Lord Home was intriguing with them at this time. Yet The Homes never followed either the fifth or

149. BUK, ii, p. 532. The reformers looked to influential men for help. J. Wormald, 'Princes and the regions in the Scottish Reformation', in N. MacDougall, ed., Church, Politics and Society, pp. 65-84.

150. Calderwood, History, iii, p. 645. Lennox subscribed the negative confession of 1581 and therefore is a suspicious Catholic. Donaldson, op cit., pp. 136-9. (on p. 162 Donaldson wrongly ascribes Ker of Kersland to the Eastern Borders. Kersland was in Ayrshire).

151. RPC, iv, p. 465. Calderwood, History, iv, p. 44. Spottiswoode, History, ii, p. 381. They were appointed in 1589 and their commission was renewed in 1590. BUK, iii, p. 755.

sixth Lords Home in their return to Catholicism and other Merse lairds remained distant.¹⁵² Alexander Home of Huttonhall, yet another ascendant Home laird, was welcoming to the exiled Presbyterians, who dined with Sir John Forster at Alnwick in 1585. They described his house at Huttonhall as 'that maist godlie and comfortable house to all the servants of God', and ministers were clearly welcomed there as a family deed of 1594 was witnessed by two local ministers.¹⁵³ Another indication of the spread of Protestantism occurred at Eccles in 1602, when Mr James Home spearheaded a parishioners' petition to their synod to find a replacement for their deceased minister and David Home of Godscroft joined the ultra-Protestant eighth earl of Angus, the earl of Mar and the Master of Glamis during their simultaneous exile in England. In 1599 the Homes were 'reputed religious',¹⁵⁴ but one of the leading Ker families was Catholic.

Sir Thomas Ker of Ferniehirst, like the Lords Home, did not receive much support from his kinsmen when he returned to Catholicism. As a young man Ferniehirst had been a keen reformer along with William Ker of Cessford. John Knox called them 'two godly and forward young men' for bringing a Protestant preacher to Kelso in 1553,¹⁵⁵ but their friendship deteriorated when Ferniehirst became a Catholic in the late 1560s. His father Sir John had supported the Reformation, but he died in 1562. Thomas did not sign any Protestant bond or attend the Reformation

152. CSPScot, xi, nos 201, 323. A reference to David Renton of Billie's child being given an unlicensed baptism in 1591 does not necessarily signify that he was a Catholic. In England this would have been a certain sign of recusancy. Stair Soc, xxx, p. 27. M.H.B. Sanderson, in 'Catholic Recusancy In Scotland In The Sixteenth Century', IR, xxi, (1970) p. 99 quotes Cowdenknowes as being hostile to the reformed faith, but he was a noted supporter of the Reformation.

153. RD1/48 ff. 199-201. Melville, Diary, p. 219.

154. CBP, ii, no 1090. Godscroft, History, pp. 392-3. Wodrow Misc, pp. 432-3. RH 15/19/14.

155. Knox, History, i, p. 261. Mary of Lorraine, Corresp, p. 368.

Parliament and by 1570 he was openly Catholic sheltering the rebel earl of Westmorland at Ferniehirst, after the collapse of the Northern Rising. The fifth Lord Home had also returned to Catholicism and he sheltered the countess of Northumberland at Hume castle.¹⁵⁶ Both Home and Ferniehirst later joined the rebels holding Edinburgh castle for Mary, Queen of Scots, until the castle surrendered in 1573, when they were both forfeited. Ferniehirst chose exile and did not return until 1579, but he remained a Catholic and did not sign the negative confession in 1581.¹⁵⁷ He was called before the General Assembly in 1582 for 'going to Mass in France and other ports beyond sea', but he was conveniently out of his bounds to avoid appearing. He never conformed and died ignominiously in 1586, after the Border fracas in which Lord Russell was killed.¹⁵⁸ His second wife Janet Scott of Buccleuch (who he was forced to marry as part of a feud appeasement) must have reverted to Catholicism for her family were all Protestant and she remained Catholic after his death.¹⁵⁹ His daughters all confusingly married Protestants, but his heir, Andrew, was a Catholic, who had household priests, intrigued with Spain and received Spanish pensions.¹⁶⁰

Alexander, fifth Lord Home's faith followed a similar pattern to Ferniehirst's during the 1560s. He was not a convinced member of the Reformation Parliament, but he was cautious to remain publicly neutral in religion. He had anticipated the Queen's return in 1560, but when she did arrive he went neither to her mass nor to Knox's sermon.¹⁶¹ He subscribed the articles of religion in 1567, along with Faldonside not to arouse

156. CSP Scot, iii, no 84. CSP Spain, 1568-79, no 172.

157. Forbes-Leith, op cit., p. 171.

158. BUK, ii, p. 589. See chapter one pp. 108-09, 110-111.

159. Calderwood, History, iv, p. 662. See also chapter six appendix no 1.

160. SP, v, pp. 67-72. e.g. Julia married Patrick Home of Polwarth. CSP Scot, x, no 721. CSP Spain, 1587-1603, no 746. HMC, Salisbury, xi, p. 168.

161. CSP Scot, i, no 1010.

suspicion, but Pope Pius IV had praised him for remaining Catholic in 1565, so this was an artificial manoeuvre.¹⁶² In 1570 he was openly Catholic and heard 'two or three masses daily with Lady Northumberland'.¹⁶³ Lord Home's marriages in contrast to Ferniehirst were Protestant and his children were Protestant. Home's heir, Alexander, was only ten years old when he died in 1575. His wardship was awarded to the ultra-Protestant Lord William Ruthven, later earl of Gowrie, who was confusingly a friend of his father.¹⁶⁴ The sixth Lord's tutor was Andrew Home, commendator of Jedburgh, who may have been a Catholic. This would explain why Home had become a Catholic by the time he reached his majority, for he lived with his tutor at Jedburgh rather than in the Gowrie household and may have been influenced by Jesuits in the area.

Home was outwardly a conformist during his youth as he was godfather to his guardian's son, Alexander Ruthven, in January 1582. Home also supported his guardian by signing the bond that led to the Ruthven Raid.¹⁶⁵ The first indication of Home not supporting the Protestant party was in 1582 when a Jesuit reported him to be in the Spanish faction.¹⁶⁶ Home may therefore have been coerced into supporting the allegedly Protestant Ruthven raiders against his will, or perhaps he was carefully avoiding suspicion as Catholics were greatly mistrusted in 1582. He remained distant from his guardian for he refused to marry one of his daughters whilst he was staying with William Pringle, a burgess of Edinburgh, in 1582. William Pringle may have been a Catholic as his

162. BUK, i, p. 110. CSP Rome, 1558-71, nos 280, 340, 803.

163. CSP Dom Add, 1566-79, p. 249.

164. SP, iv, pp. 462-3. RMS, vii, no 1611.

165. J.Scott, A History of John, earl of Gowrie, p. 19. Calderwood, History, iii, p. 645.

166. Forbes-Leith, op cit., p. 177. This faction included northern nobility, such as the earl of Huntly.

kinsman David Pringle, the apothecary, was a known crypto-Catholic, and¹⁶⁷ they probably further dissuaded Home from Protestantism. Home was noticeably absent from the bond 'anent true religion' of 1585 and in 1588 the General Assembly sent two minsters to investigate him. They found him sheltering Mr Andrew Clerk, a priest, but were hopeful that he could be¹⁶⁸ reformed as he was only twenty-three years old. Home had, however, been converted at an influential age so the Kirk's task was to prove more optimistic than realistic.

Home was absent from Scotland from August 1591 until July 1592, on a self-imposed exile. He was in disgrace for intriguing with Francis Stewart, earl of Bothwell but he was also avoiding an investigation by the¹⁶⁹ presbytery of Dunbar. Whilst he was abroad he may have travelled to¹⁷⁰ Italy and certainly seems to have communicated with Spanish agents. The General Assembly were very suspicious of Home when he returned as he still had Andrew Clerk in his household and was employing Thomas Tyrie, a known Jesuit, as a servant. Home was summoned to appear before them but¹⁷¹ failed to respond. As Home was now in good favour at court James VI did not press him to conform, much to the ministers disgust. Rumours about Home's supposed activities were abundant and Spain regarded him as an

167. CSP Scot, vi, no 165. HMC, Home, no 40. Donaldson, op cit., pp. 140-2 details the chequered religious past of many of the raiders. M. Lynch, Edinburgh and the Reformation, pp. 191, 289.

168. APS, iii, p. 423. CSP Scot, ix, no 597; x, nos 38, 53. BUK, iii, pp. 698, 706, 718, 720. CBP, i, no 587.

169. See chapter one pp. 118-19. Stair Soc, xxx, pp. 30, 36.

170. CSP Scot, x, nos 607, 647, 655.

171. ibid, nos 713, 720, 776. Stair Soc, xxx, p. 47. Home was related to the Tyrie family by marriage and employed Thomas Tyrie as a servitor from 1587 onwards. Thomas's uncle David Tyrie died and his widow remarried John Oliphant of Oliphant. Lord Home's first wife was the widow of Laurence Oliphant, elder brother of John. SP, iv, p. 283. CSP Dom, 1595-7, p. 27. NRAS 859/6/4 859/9/3. HMC, Salisbury, iv, p. 30; v, p. 122; xiii, p. 341. See chapter four, p. 287.

ally.¹⁷² The Presbytery of Edinburgh contemplated excommunicating Home but James intervened on Home's behalf so they were 'layth yit they grantit' a postponement,¹⁷³ on condition that Home appeared before the General Assembly and that James would ban him from Court if he failed and not intercede for him again.¹⁷⁴ Home was more fortunate than the earls of Huntly, Erroll and Angus who were instantly excommunicated. The synod of Fife ignored this decree and went ahead with Home's excommunication because he had subscribed the articles of religion in Fife prior to his marriage and had lived a 'slanderous lyfe sen his subscription'.¹⁷⁵ Home did comply with the minister's wishes because he could not bear, financially or socially, to be excluded from court. He therefore appeared before the presbytery of Edinburgh, where he 'professed himself a Catholick Roman but desired conference'.¹⁷⁶ The General Assembly ratified the Synod of Fife's excommunications, with the exception of Home as he subscribed the articles of religion anew on 22 December 1593.¹⁷⁷

Home was not fully absolved from excommunication until May 1594, when he appeared before the entire Assembly. The evidence against him was very damaging to his prospect of ever becoming a convinced Protestant. He had

172. BUK, iii, p. 834. CBP, i, no 852. CSP Spain, 1587-1603, no 617.

173. Stair Soc, xxx, pp. 54, 66. CSP Scot, xi, no 177. Home was granted many offices, regardless of his Catholicism, by a grateful King James after he rescued him from Bothwell in 1593. Home was not the only Catholic nobleman to hold office, as there were others who held offices e.g. the earl of Huntly.

174. CSP Scot, xi, nos 156, 157. Bann. Club, xiii, pp. 279-80. James VI and Home signed an order in council to this effect.

175. CSP Scot, xi, no 135. Melville, Diary, p. 310. BUK, iii, p. 833. Home, Angus and Erroll had all been students together at the University of St Andrews, had all married in Fife and subscribed to the Kirk there. Home and Erroll both married daughters of William Douglas of Lochleven. SP, vi, p. 373. Calderwood, History v, p. 263.

176. Calderwood, History, v, p. 222.

177. CSP Scot, xi, no 186.

sheltered priests, not allowed ministers in his house and had obstructed the payment of stipends to local ministers. Somehow the Assembly believed his earnestness to conform, but Andrew Melville was dubious and refused¹⁷⁸ to give him absolution, so another minister performed it instead. Home was warned that the slightest deviation would result in his immediate excommunication, but this did not deter him from returning to his Catholic ways. He antagonised the ministers by riding on the left hand of James VI during a parliamentary procession for only two months later the presbytery¹⁷⁹ of Duns cited him for 'sundry faults', but he was not excommunicated until 1598 when he murdered William Lauder. James VI wrote to the presbytery asking them to release Home, because he offered to satisfy them and banish Tyrie from his bounds (who had left Home's household after his conformity in 1594, but had returned after only a brief absence).¹⁸⁰ The Presbytery ignored James's plea, so Home left the country for another year-long exile. This absence was not ostensibly a Catholic pilgrimage as he took his Protestant kinsman, Alexander Home of Huttonhall with him, but Tyrie was in his company.¹⁸¹ Home sheltered at court when he returned and was advantageously out of his bounds when the Assembly tried to plant the godly John Carmichael in his household. He really was a hopeless case for the reformed kirk, but his Catholicism no longer prevented him from going to Court. He remained on good terms with the king who made^{him} his ambassador to France in 1602. Home had an audience

178. BUK, iii, pp. 821, 835-6, 838-42. McCrie, The Life of Andrew Melville, ii, p. 44.

179. CSP Scot, xi, no 289. Calderwood, History, v, p. 329.

180. See chapter six, appendix no 21. CSP Scot, xiii, no 279.

181. CSP Scot, xiii, nos 299, 329, 356, 359, 797, 811, 816, 825, 841. HMC, Salisbury, ix, p. 151; xi, p. 73. It was not just Catholic noblemen who travelled overseas as Lord Roxburgh (Sir Robert Ker of Cessford) went abroad in 1602. There is no indication that Home's wife was Catholic as a minister witnessed her will in 1604. CC8/8/44

with Elizabeth I on his return journey as his Catholicism was overlooked in favour of his good Border service. Home escaped persecution until 1606, when he was confined to Edinburgh.¹⁸²

Scottish Catholics were not persecuted with the ferocity prevalent in England during the later sixteenth century, but they remained regionalized and generally weak. Both Lords Home were part of a Catholic minority in the Merse, with perhaps only a few kinsmen and their immediate household being Catholic. In East Teviotdale there were probably more Catholics but they were still a minority in 1603. Catholicism was much stronger in the Western Borders owing to the influence of the powerful Maxwell family and their support for the Jesuits. There, in contrast to the Merse and East Teviotdale, the counter-Reformation was a success for the majority of the inhabitants of Dumfries were cited for recusancy in 1601.¹⁸³

As the lairds were more Protestant than the English gentry of the Eastern Borders there is more evidence of younger sons being put into the church on the Scottish side of the Border. John Spottiswoode, a younger son of the Spottiswoodes of the Merse was a notable pre-Reformation Protestant and he became superintendent of Lothian in the reformed kirk and his son John became archbishop of St Andrews. Adam Home of Polwarth (Polwarth), Andrew Home of Wedderburn (Lauder) and William Ker of Ferniehirst (Bedrule) all conformed at the Reformation. Thomas Ker of Cessford became archdean of Teviotdale in the 1560s and younger sons who became ministers after the Reformation included Robert French of

182. CSP Scot, xiii, nos 832, 854. BUK, iii, pp. 964, 967, 981, 984, 1025. Forbes-Leith, op cit., p. 374. Wormald, op cit., p. 78.

183. See note 132. Moysie, *Memoirs*, p. 67. RPC, vi, pp. 326-7, 355. K.M. Brown, 'The Making of a Politique', *SHR*, lxvi (1987), pp. 152-175.

Thornydykes (Eccles, Greenlaw and Hume), David Home of Ninewells (Chirnside), John Spottiswoode of Spottiswoode (Mordington, Nenthorn and Longformacus), Thomas Cranston of Morriston (Legerwood), George Home of Blackadder (Smailholm), William Ker of Ferniehirst (Bedrule) and William Ker of Linton (Galashiels and reader at Lindean) who was deprived for smuggling Jesuits across the Border.¹⁸⁴ Younger sons as priests are difficult to locate here, as they are in Northumberland and North Durham. George Ker of Newbattle and Mark Ker, who was at the Scots college at Douai in 1582, were the only traceable priests with Border connections.¹⁸⁵

Lapses in church discipline in Scotland resembled those in England as there were many feuds over church lands, minister's stipends and teinds.¹⁸⁶ Unchristian behaviour occurred at Mow in 1540, when John Mow of that ilk murdered Robert Burr in the kirk, and at Stow in 1591 when the Pringles fought amongst themselves in the churchyard, with the assistance of the otherwise pious William Spottiswoode. The Kers of Dalcove and Shaw destroyed Haig of Bemersyde's pew in Mertoun church in 1598 and the Swintons of that ilk harassed the minister of Swinton in 1588. An attack on the minister of Langton was supported by the Cockburns of Langton, who

maist cruellie and unmercifullie persewit him for his bodilee harme and slauchter, hurte and woudit him in divers pairtis of his body to the effusion of his blude in grite quantitie....

The minister exaggerated somewhat for he only lost a finger, but the

184. NRAS 1100/618. RSS, ii, 3838; vi, 718. See note 136. Scott, *Fasti*, i, p. 175; ii, pp. 18, 24, 27, 82, 153, 156, 160-1, 176; viii, p. 135. Spottiswoode, *History*, ii, p. 336. This proportion of younger sons of lairds as ministers conflicts with the ^{General} conclusions of W. Makey, *The Church of the Covenant, 1637-1651*, pp. 97-9.

185. See note 137. *New Spalding Club*, xxx, p.3.

186. See chapter six appendix nos, 64, 74, 88, 91-3, 108-09, 116, 123-4, 138, 140, 142, 145.

incident demonstrates how otherwise 'godly' men could turn to violence to pursue the financial benefits of church land. In 1576 the parishioners of Hutton and Edrom were remonstrated for breaking the Sabbath and had to be¹⁸⁷ ordered not to gather the teind grain 'in tyme of sermons or prayers'.

The only excommunication, other than for recusancy, was of Sir John Ker of Hirsel for adultery in 1589. He divorced soon after but was not officially allowed to remarry until 1603, when his excommunication was absolved. Ker had been remarried in 1590, by an English vicar, but the¹⁸⁸ kirk refused to recognize this ceremony. The lairds proved to be just as promiscuous as the English gentry, so there were illegitimate children. James Pringle of Galashiels was born illegitimate and later legitimized to inherit his father's estates, whilst the Lords Home called their bastard¹⁸⁹ sons 'provosts' of Dunglass.

In Scotland the lairds and nobles had greedily taken leases of monastic¹⁹⁰ land since before the Reformation. The Eastern Borders were particularly well endowed with monasteries, and the local lairds did well¹⁹¹ in the land stakes. The Homes had a dominant share of the religious houses of the Merse with Cowdenknowes holding Eccles, Manderston controlling Coldingham, and Lord Home holding Jedburgh, Abbey St Bathans

187. *ibid* nos 18, 123-4, 153. Haig complained that Mertoun had been without a resident pastor since the Reformation, yet Scott, *Fasti*, ii, p. 158 lists two ministers here before this incident. They were perhaps non-resident, a recurring fault of post-Reformation clergy. NRAS 859/1/2.

188. The brother of Ker's first wife, George Home of Wedderburn, wrote to the ministers of Teviotdale to complain about his 'woman' (i.e. his mistress). GD267/31/6. *HMC*, Salisbury, iv, p. 31. See p. 354. Calderwood, *History*, vi, p. 205. See chapter six appendix no 129.

189. *SP*, iv, pp. 463, 465. *RMS*, iv, no 2982,

190. See chapter three for a fuller discussion of monastic and church land.

191. *Dryb. Lib*, pp. 285, 297-9, 324, 338-40, 343-5, 347-8 etc. *Melr Recs*, pp. 275, 329, 348-50.

and Coldingham. The lairds were also as irresponsible as the gentry when it came to repairing local churches or paying the ministers stipends or the thirds of benefices. Andrew Home, commendator of Jedburgh did not pay the minister of Jedburgh's stipend for several years in the 1580s¹⁹² and Lord Home and William Home of Ayton were ordered to pay stipends in the 1590s. The thirds were an unpopular payment with both Protestants and Catholics. The Protestant lairds should have willingly paid their thirds to help the reformed kirk, but their avarice made them pay as grudgingly as the Catholic lairds. Lord Home, Home of Cowdenknowes and Home of Wedderburn were all very slow to pay their thirds for Eccles and Hutton.

Church repairs were not, as in England, principally the responsibility of the patron, but the lairds were supposed to contribute. The churches of the Merse and Teviotdale had been battered by raiding in the 1540s and were still not in a good condition by the time of the Reformation. Swinton church had been attacked in 1542 as it was being used as a shelter. The archbishop of St Andrews had been concerned, in 1555, that over twenty-five churches were in need of repair, but little was carried out for Home of Ayton was lambasted in 1558-9 for letting the choir of Ayton kirk fall into disrepair. It was choked with doves and water was falling onto the altar, because five new slates were needed.¹⁹³

By the 1590s they were still not satisfactory for Lord Home was ordered to repair all the 'ruinous' kirks within the priory of Coldingham and the parishioners of Cockburnspath were ordered to rebuild their church. Their ruinous condition presumably did not mean they were unusable as the

192. E48/1/1 f. 187. E53/8. RD1/24/1 f. 197. Stair Soc, xxx, p. 77.

193. CH8/16. CH8/19. L & P Hen VIII, xvii, nos 1137, 1140.

same description was used in England merely to describe churches needing repair.¹⁹⁴ Home's Catholicism would have been his excuse for not looking after the needs of the reformed church, but others were just too selfish to contribute to the needs of the kirk.

Protestantism was established on the Scottish side of the Eastern Borders more rapidly than on the English side, but this progress was hampered by similar problems that transcended the frontier and ^{by} the time lapse between the Scottish and English Reformations. The lack of Protestant clergy, poorly endowed charges, churches in a bad state of maintenance and lingering Catholicism all contributed to a slow growth of Protestantism. Catholicism was a greater problem in England, but the few Catholics on the Scottish side were powerful men who could have caused a lot of trouble for the government if they had not been deserted by their kinsmen ^{or forced into exile.} The greed of landed men surpassed religious constraints everywhere, but the number of disputes over church land in this region was high. Religious loyalty took second place to political allegiance in England but in Scotland they were interlinked, for a Catholic laird unless he were of the status of Ferniehirst could not hold office or advance up the social ladder, therefore the Home lairds who were overwhelmingly Protestant did particularly well. By 1603 the lairds were mostly Protestant, but the gentry were divided between those who had lived through the Catholic survival and remained Catholic and those who had encountered Protestant ideas and reformed.

194. CH8/16. Stair Soc, xxx, p. 77. BUK, ii, p.720. G.Donaldson, The Scottish Reformation, p. 23.

CHAPTER SIX

DISORDER IN THE EASTERN BORDERS : FEUDING AND DOMESTIC CRIME

I. The Nature of Disorder

Feuding was a part of everyday life in sixteenth-century Scotland and
 1
 England when

tempers were short and weapons to hand..... readiness to repay an injury real or imagined was a sign of spirit, loyalty to a friend in a quarrel was a moral duty, regardless of the merits of the case.

Against this background the disputes that occurred in the Eastern Borders are not remarkable and seem to fit into the pattern of disorder found elsewhere. Here, as in the other regions, feuding was often the preserve of the lairds and gentlemen. Settlement of these arguments could be long and complex, but they were usually arbitrated until the late sixteenth century, when better law enforcement took hold in the area. The other, less regular disorder was domestic crime (that is incidents in either country unconnected to feuds) which, by comparison, were always prosecuted by the law courts.

The Borderers feuded over numerous issues ranging from land or teinds / (anglice tithes) to murder. Feuding was not confined to the Scottish Border lairds as the English gentry were feuding over similar issues throughout the sixteenth century and it is arguable that the quarrels were equally intense on both sides. Haughty Elizabethan courtiers preferred to ignore feuds in their own country and criticised the Scots for their

1. L. Stone, The Crisis of the Aristocracy, pp. 223-4. M.E. James, 'English Politics and the Concept of Honour, 1485-1642', P&P, supplement iii (1978), pp. 5-6, 13. K.M. Brown, Bloodfeud in Scotland, chapter one.

disturbances. Cecil even had the audacity to tell James VI in 1602 that 'quarrels and feods are here unusual', yet there were feuds in Northumberland at the time he was writing,² and in 1598 Cecil had himself been politely reprimanded by the Dean of Durham³ for the

many feuds about our northern borders. We understand our neighbours of Scotland have lately composed all theirs among themselves. You could not do a better peace of service than require all three Wardens to cause an end of the bloody and horrible murders almost daily committed among us.

In 1593 the earl of Huntingdon complained that the English were copying the Scots by feuding.⁴ Indeed feuds were not unknown in the rest of England as well,⁵ but the Borders seem to have been particularly noted for their barbarity and feuds were wrongly designated as a 'Border mischief'.⁶ Historians have in the past tended to concentrate on the problem of Border feuding in isolation, comparing it to a non-feuding society.⁷ Recent research has, however, shown conclusively that the Borders were little different from the rest of Scotland where feuding was concerned. In fact the Borders accounted for only 23% of all feuds in Scotland during 1573-1625, with the Lowlands (south of the Tay) being worst at 40%.⁸ Provincial England also had violent incidents, so Border feuding has

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2. CSP Scot, xiii, pt 2, no 828. CSP Dom, 1601-3, pp. 213-14.
 3. CSP Dom, 1598-1603, p. 95. The feud between the Grays and the Selbies in 1597 had been so violent, that the governor of Berwick put armed soldiers on every street corner. SP59/33 ff. 82-3.
 4. CBP, i, no 893.
 5. Stone, op cit., pp. 225-6, 229.
 6. CSP Scot, vii, no 441.
 7. T.I. Rae, The Administration of the Scottish Frontier, 1513-1603, pp. 10, 75, and 'Feud and the jurisdiction of the wardens of the Marches', THAS, (1961), pp. 3-9; D.L.W. Tough, The Last Years of A Frontier, pp. 32-3; S.J. Watts, From Border To Middle Shire, pp. 25-6; G.M. Fraser, The Steel Bonnets, xvi-xviii (Fraser surprisingly does not mention the Heron and Carr feud (appendix no 28) because he confuses Carr with Ker, pp.45, 143; Hewitt, Scotland under Morton, chapter seven.
 8. K.M. Brown, op cit., p. 277. B.W. Beckingsale, 'The Characteristics of the Tudor North', NH, iv, p. 67.

to be examined in a nationwide and international context to be fully understood, and it should not be singled out for its lawlessness just because it was a difficult area to govern. The one important difference between the Eastern and Western Borders was that there were comparatively fewer cross-border feuds in the East. In the West bloodfeuds between such families as the English Grahams and the Irvines, or between the Fenwicks and the Elliots were a commonplace nightmare to the Border administrators. In the East there were only four cross-border feuds, none of which were prolonged bloodfeuds.⁹

As there were so many feuds in the Eastern Borders from 1540-1603 an appendix is necessary. This appendix lists all traceable feuds in the Eastern Borders and is categorised into bloodfeuds and property disputes to distinguish between major and minor feuds, with a section of miscellaneous feuds that fit into neither category and a mention of the cross-border feuds. Because of the complex nature of feuding it is very difficult to clearly categorize individual feuds. The Scottish parliament of 1598 defined 'feud' as involving no slaughter, slaughter on one side only, or slaughter on both sides, which is a rather sweeping and unhelpful description.¹⁰ Feuds could range from a minor squabble to embittered and long-lasting hostility. Bloodfeuds or 'deadly feuds' which involved murder and often lasted for several generations have to be distinguished from the lesser property disputes. Also the settlement of bloodfeuds was separate from property disputes as it involved a series of procedures that will be discussed later. Settlement was never entirely

9. See appendix, nos 254-7.

10. APS, iv, pp. 158-159, c. 1. J. Wormald, 'Bloodfeud, Kindred and Government in Early Modern Scotland', P&P, lxxxvii (1980), p.86n.

successful, because of the serious nature of bloodfeuds. To the English
¹¹
 deadly feuds were

the word of enmitye in the Borders, implacable
 without the blood and whole family destrioed....

This was an exaggeration as far as the Eastern Borders are concerned as no families were destroyed, but it does signify the futility of bloodfeud.

There were many property disputes in the Eastern Borders. The surviving evidence is more plentiful on the Scottish side as the privy council registers survive to tell us of civil litigation over lands or teinds. On the English side, however, evidence is sadly lacking as the majority of the local gentry would have taken their disputations to the Council of the North, whose records are mostly lost. Very few cases
¹²
 reached as far as London, but if they did the evidence is more likely to have survived. Property disputes were sometimes only the surface disturbance of a more serious political struggle in the local community, but they were generally settled more quickly than bloodfeuds and did not
¹³
 persist for generations. They ranged from minor boundary squabbles between neighbours, to deliberately provoked aggression between political rivals, but as they did not involve murder they have been categorized as 'property' disputes (that is involving land or tithes). The feuds designated as miscellaneous included arguments over local offices and long-running political and territorial rivalries that were too complex to be defined as property disputes or bloodfeuds. This category also

11. CBP, ii, no 323. Scottish bloodfeuds are discussed in Wormald, *op cit.*, pp. 54-97

12. R.R. Reid, The King's Council in the North, p. 191. See appendix, nos 160, 166, 167, 170, 172, 175-7, 179-83, 186-89, 192, 195-6, which were heard before the various London courts of Exchequer, Requests, Chancery and Star Chamber.

13. K.M. Brown, *op cit.*, chapter three.

encompasses the many feuds that were caused by unknown factors. In all three categories laird and gentry alliances in feuds were rarely stable which complicates the analysis of their feuds considerably, but in major feuds such as the Herons and the Carrs or the Kers and the Scotts¹⁴ sworn enemies were seen to be fighting on the same side. The lairds and gentry thus determined their priorities in feud according to the seriousness of the dispute.

The appendix lists only local feuds as disputes between national figures have been excluded unless they were arguing over local lands or influence. Also excluded are feuds that occurred outside the Borders but which involved Borderers.¹⁵ Another exception is the squabbles that happened as a result of a 'day of truce', when pledges had to be handed over to the opposite warden as guarantors for compensation that had not been paid to the injured party on that day. No one wanted to be a pledge or to give one of his kinsmen over to the opposite side, so there was always ill-feeling about this established practice of Border law. It resembled moaning rather than feuding, but if it was part of a feud it has¹⁶ been listed in the appendix.

Domestic crime involved the lairds and gentlemen in rebellions and other serious incidents. Rebels were more of a problem in England with the Northern Rebellion enticing a few younger sons for various reasons, but Scotland did have rebels as well. Less serious incidents, unconnected to rebellions, concerned petty theft, debts and patricide, which were all

14. See appendix nos 1 & 28.

15. e.g. the fifth Lord Home and Sir George Douglas of Pittendreich, RPC, i, pp. 72-3, or the sixth Lord Home and Lord Fleming, CSP Scot., ix, no 362. HMC, Salisbury, iii, p. 268.

16. See appendix, no 35.

prosecuted through the legal processes of each country. Many were later pardoned for their crimes on both sides of the Border, but some of the lairds received severe punishment for their wrongdoing. It was seemingly more acceptable to contemporary opinion to murder a man as part of a feud, than to kill him outwith a feuding situation. Feuds were accepted by the lairds and gentlemen as a part of their lifestyle and the only condemnation of feuding seems to have come from the governments and the churches, in particular, of either realm.

Bernard Gilpin, the exemplary preacher of post-Reformation Northumberland, was confronted with both sides of a bloodfeud whilst preaching in Rothbury church in the 1560s.¹⁷ The feuding parties of Ellerkers, Lisles and Herons obviously wanted to hear the renowned vicar. They edged nearer each other and when they drew their swords for a second time Gilpin stopped his sermon and

commeth downe from the pulpit, and stepping to the ringleaders of either faction, first of all he appeased the tumult. Next he laboureth to establish peace betwixt them, but he could not prevaile in that: onely they promised to keepe the peace unbroken so long as Mr. Gilpin should remain in the Church.

18

Gilpin returned to the pulpit infuriated and

spent the rest of the allotted time which remained in disgracing that barbarous and bloody custom of theirs.

Gilpin's biographer even boasted that when he returned to the area any man in fear of his life, as the result of a bloodfeud, could resort to him for protection. This is a rather dubious statement for Gilpin, try as he might, could not prevent the numerous feuds in Northumberland from running

17. See appendix, no 29.

18. G. Carleton, *The Life of Bernard Gilpin*, pp. 27-8. D. Marcombe, 'Bernard Gilpin: Anatomy of an Elizabethan Legend', *NH*, xvi (1980), pp. 20-39.

their fatal course. John Lesley, bishop of Ross in his History, wrote¹⁹
of Scottish feuds in an equally disapproving manner,

This pest albeit it be commoune to the hail
Realme and a grevous calamitie.....

Government commentators reported on feuds with similar disdain, but an English Border official was likely to exaggerate the intensity of feuding to make him look successful in a difficult and dangerous job and boost his standing at court. Lord Grey of Wilton, warden of the East March from 1559-1562, is a typical example of this overstatement. In 1560 he reported that he had pacified the entire March by ending three local²⁰ feuds. It would have been impossible to tidy up all the local controversies of the English East March as easily as Grey suggested. Admittedly, he had managed to end the Forster and Muschamp feud, which had shaken the countryside and compelled the local gentry to take sides. It was really a non-violent power struggle between the families of Forster²¹ and Gray, but true to fashion it was reported thus:

There is daily armour and weapon used both to the church, the market, and the field, as in time of war; as no man here minds to deal in the matter it is needful that some be sent from the Queen and Council to make an end hereof.

Evidently Lord Grey was the right man for the job in this case, yet he failed to mention that ill-feeling still persisted throughout²² Northumberland over the Heron and Carr feud. A report of 1579 referred to these parties as still being ready to 'overthrow each other than face²³ the enemy', and Grey was in the East March only two years after the

19. Lesley, History, i, p. 101. Brown, op cit., chapter seven.

20. See appendix nos 164, 241-2.

21. CSP For, 1560-1, no 570(2).

22. See appendix no 28.

23. CBP, i, no 41. This is perhaps wrongly dated and should read 1569.

murder of Thomas Carr of Ford.

Feuding persisted in the Eastern English Borders until well after the Union of the Crowns, yet cross-border feuds were feared more by the local population. Both Sir Robert Carey and Lord Eure as wardens of the East and Middle Marches were horrified at the lack of reprisal against Scottish thieves, but the local gentry dared not kill a Scot 'for fear of feud'. Perhaps this contributed to the general lack of cross-border feuds in the Eastern Borders, but there were fundamentally better cross-border relations here.²⁴ The majority of the thieves that Carey referred to came from the Scottish Middle March and not from the more peaceable Scottish East March. The Scottish East March was, however, only 'peaceable' in terms of raiding, because the disorders of feuding and domestic crime were spread over the entire area of the Eastern Borders.

II. BLOODFEUD.

Bloodfeuds, whether they are termed bloodfeuds or deadly feuds, were invariably murderous and resulted in the same futile savagery of repeated bloodspilling as local political alliances strengthened the bitterness of both parties on both sides of the frontier. On the Scottish side the Kers and Scotts bloodfeud was the most notorious.

Bards long shall tell
How Lord Walter fell!
When startled burghers fled, afar,
The furies of the Border war;
When streets of high Dunedin
Saw lances gleam, and falchions redden.

This bloodfeud persisted from 1526 until the closing years of the

24. CBP, ii, nos 103, 371, 373. See chapter seven pp. 419-20, 439-43.

sixteenth century.²⁵ There were several temporary lulls in this fight, but it always rekindled itself without much provocation. The Kers were united with their sometime adversaries the Kers of Ferniehirst and the Rutherfords of Hundalee and Hunthill in this controversy. They had their own private quarrels but each generation always united against the Scotts. The Kers were also joined by most of their kindred lairds and other lairds of the Eastern Borders, such as Home of Cowdenknowes, Lauder of that Ilk, MacDougal of Makerston, Ormiston of that Ilk and Haliburton of Mertoun, who likewise had their private disputes, yet joined together to oppose the Scotts.²⁶ The feud began with the murder of Sir Andrew Ker of Cessford by an Elliot, who was an ally of the Scotts of Buccleuch. There were at least four more murders before the feud was pacified in 1598. The true cause however was not just a murder. There was a pronounced social divide between East and West Teviotdale²⁷ and these lairds competed for influence in the Middle March. There were never alliances between lairds from either area, rather there were feuds, for instance Pringle and Elliot and this feud. At the start of the feud the Kers were in the opposite political faction to the Scotts and the two families continued to oppose each other politically, with one small exception in 1565 when both sides were in the Queen's party at the 'Chaseabout Raid'. At this event the circumstances were unusual and they²⁸ were not the only known enemies to jointly serve the Queen's forces.

25. See appendix no 1. W. Scott, 'The Lay of the last Minstrel', I, vii, in Selected Poems of Sir Walter Scott, ed, T. Crawford, p. 53.

26. Fraser, Buccleuch, ii, pp. 193-4, 209-211.

27. CSP Scot, v, no 286. See chapter one p. 24.

28. G. Donaldson, All The Queen's Men, p. 75.

A bond and a marriage between the Kers and the Scotts in 1530²⁹ was a deliberate attempt to settle the feud, but the 'rough wooing' of the 1540s renewed the vendetta. The Kers of Cessford and Ferniehirst were both coerced into assuring to the English. They then took the opportunity to attack Walter Scott of Buccleuch's property and tenants on numerous occasions and the English encouraged them by paying for soldiers to assist them, as the Scotts were not assured.³⁰ One of their most brutal attacks was on the tower of Catslak, which they set fire to with Scott's mother still inside.³¹ The feud did not end with the international peace of 1550. Scott was rewarded for his loyalty to Scotland during the 'rough wooing' by being made warden of the entire Middle March, rather than just being the keeper of Liddesdale. The Kers were infuriated and retaliated in 1552, when they persuaded a kinsman, John Home of Cowdenknowes, to murder Sir Walter Scott in Edinburgh. This barbarity was denounced and the Kers were threatened with exile in France as a punishment. This threat was, however, never carried out, so the Kers awaited the Scott retaliation. There was no set interval between each outburst of violence in this feud, so both sides were constantly prepared for trouble. For instance in 1568 Sir Thomas Ker of Ferniehirst made a will in the knowledge that Scott of Buccleuch 'be lying in wait to have slaine me', (though he did not die until 1586).³²

Marriages and bonds were a well used method of pacifying bloodfeuds in Scotland and the Ker and Scott feud was typical. Marriage contracts were

29. Fraser, op cit., i, p. 93, ii, pp. 162-4.

30. M.H. Merriman, 'The Assured Scots', SHR, xlvii (1968), p. 21.

31. Fraser, op cit., ii, pp. 185-94.

32. GD40/2/9/49. Fraser, op cit., pp. 209-11. Many Kers were indicted for the murder, but none were actually punished owing to the sensitive nature of bloodfeud pacifications.

instigated by the privy council on several occasions throughout the century for Janet, daughter of Sir Andrew Ker of Ferniehirst, to marry Sir Walter Scott of Buccleuch in 1530; for George Ker of Faldonside to marry Janet Scott of Buccleuch in 1565; for Thomas Ker, younger son of Sir Walter Ker of Cessford to marry Elizabeth Scott of Buccleuch in 1567, and for Sir Walter Scott of Buccleuch to marry Margaret Ker of Cessford in 1586.³³ Only the latter contract was successfully fulfilled, as the first ended in divorce and the second and third never took place. Elizabeth Scott was contracted to another Ker in 1569, John of Hirsell, but this also failed to materialize. Janet Scott later married Sir Thomas Ker of Ferniehirst as his second wife in 1569. She was given 1000 merks in 1577 as compensation for the failure of her 1565 marriage contract.³⁴

Bonds of assurance between the Kers and Scotts were signed in 1547,³⁵ 1565 and 1569. They never adhered to them for very long, however, for in 1589 they fought a running battle on the streets of Edinburgh, as they were again on opposing political sides. This time the Kers were supporters of the chancellor, Maitland of Thirlestane, and a marriage between his niece and Sir Robert Ker of Cessford must surely have cemented this alliance, whilst the Scotts were supporters of Maitland's rival the Earl of Bothwell, who happened to be Walter Scott of Buccleuch's stepfather. A short peace followed, but in 1596 Sir Robert Ker challenged Scott to a combat. The fight did not take place as James VI intervened and decided to end the feud once and for all. Both Ker and Scott

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33. RD1/7 f. 131. RD1/26 f. 34. Fraser, *op cit.*, i, p. 93; ii, pp. 162-4, 222-3, 242-6, 451-3. K.M. Brown, *op cit.*, chapters two and nine. Wormald, *op cit.*, 71-7, 83-7.
34. RD1/11 f. 75. *RPC*, ii, pp. 643, 665, 671.
35. GD40/15/2/2. Fraser, *Buccleuch*, ii, pp. 185-7, 336-7, 451-3. Bonds of friendship and manrent were also used to pacify feuds. J. Wormald, *Lords and Men in Scotland*, chapter seven.

thereafter competed for royal favour, appearing friendly in public.³⁶ The pacification held, much to the surprise of contemporaries who expected it to begin again, but this peace was did not stop their ill-deeds against the English Marches for by 1597 they were the most wanted men in the Borders.³⁷ None of the other Scottish bloodfeuds lasted as long as the Ker and Scott enmity, but they were all serious incidents and were often caused by local political rivalries.

The established procedures for settling Scottish bloodfeuds through the privy council were not guaranteed to be lasting solutions to bloodfeuds, as has already been demonstrated in the Ker and Scott feud. Nonetheless at least half of the bloodfeuds in the Eastern Scottish Borders were settled in this way.³⁸ Firstly assurance was required from both sides, usually with financial sureties attached to the agreement which were guaranteed by kinsmen or anyone unfortunate enough to be present in the chamber at the time. Then the council listened to both sides and appointed arbiters to settle claims. Finally the two parties were reconciled before the council and signed a contract. These contracts could involve financial compensation to the injured party, penance from both sides or marriage between the feuding families, as was the case with Kers and Scotts.³⁹ If a bond or a contract were broken then the surety had to be paid by the guarantors and as these men were often kinsmen of the feuding party their feelings of kinship must have been stretched to

36. CSP Scot, x, nos 156, 280; xii, 26, 212, 224; xiii, Pt 1, nos 52, 279.

37. CBP, ii, no 783 et seq.

38. See appendix nos 2, 5, 10, 11, 13, 15-19, 20, 23.

39. T.I. Rae, The Administration Of The Scottish Frontier, pp. 123-6. See chapter one pp. 69-71.

breaking point! Sir James Home of Cowdenknowes was an unwilling guarantor for the Brounfields of the Merse as he probably knew their feud was very likely to renew itself, (which it did and he had to pay £5000 Scots). By the early seventeenth century central government had increased its influence in the Borders and was beginning to solve feuds, like domestic crime, with the normal processes of law, rather than relying on
⁴⁰
 tenuous assurances given to the privy council from kin groups.

In the English Borders the equivalent of the Ker and Scott bloodfeud
⁴¹
 was the Heron and Carr enmity. It did not last as long, but it was equally bitter and motivated the surrounding gentry to take sides in it. The feud began with the marriage of Elizabeth Heron, the seventeen year old heiress of her late grandfather Sir William Heron of Ford, to Thomas Carr in 1549. He was a younger son of a relatively minor gentleman, John Carr of Hetton. Elizabeth's widowed mother (a Forster of Adderstone) had remarried twice, both times to other Heron branches and latterly to Sir George Heron of Chipchase in Northumberland who lived some fifty miles to the south-west of Ford. Elizabeth would have been expected to marry one
⁴²
 of her relations, but she chose to marry Thomas Carr who had been involved with the defence of Ford Castle against the Franco-Scottish army in 1549. Elizabeth's stepfather, Sir George Heron, was incensed and now declared that the estate of Ford was his as heir male to Sir William Heron. Alexander Heron of Meldon also put in a claim, but the fact that they had waited fourteen years to do so puts a dubious light on their

40. This was the case with the Kers and Turnbills. See appendix no 25.

41. See appendix no 28.

42. This was exactly the progression the Homes of Wedderburn took with the widow and daughters of Sir Robert Blackadder of that Ilk in the aftermath of Flodden. SP, i, pp. 187-90; iii, p. 281.

intentions, Sir William having died in 1535, and when violence broke out⁴³ in 1557 the Carrs had been in possession for eight years. The Herons' claims were invalid,⁴⁴ but they were persistent and gained the sympathy of many of the local gentry. In his 1551 survey of the Borderland Sir Robert Bowes hinted at future trouble over Ford.⁴⁵

And in this controversye many of the gentlemen of Northumberland be affected and favourable either to one side or the other. Wherfore it were a good deed for the quyetnes of the countrey, that clame and traverse were brought to agrement and quyetnes; otherwayse there is like much trouble to ensue thereof.

Bowes wanted bonds to be taken from both parties to keep the peace, as he had just succeeded in settling a quarrel between the Selbies and the Reveleys in this way.⁴⁶ His prediction of trouble was well founded for in 1557 violence erupted at Ford, but his boast of pacifying the Selby and Reveley feud was short-lived as they were feuding again in 1553 and only stopped to join with the Herons in their feud with the Carrs. The Herons had good support from the leading and lesser gentry of north Northumberland and North Durham as well as from many of the greater gentry families from the other areas of Northumberland. The Carrs only had the support of their kinsmen, along with the Collingwoods of Eslington and Etal, the Horsleys and a few other local families⁴⁷ but this was enough to divide the gentry. The Carrs did, however, have the additional support of the Percies. When Thomas Percy was restored to his ancestral title and property in 1557, becoming the seventh earl of Northumberland, he found

43. LAMB MS 696 f. 83.

44. C78/54 no 4.

45. SP15/4/30 f. 93. BL Cotton MS, Titus, F, xiii, f. 187.

46. See appendix no 27.

47. *ibid* no 31. LAMB MS 696 f. 83; MS 3195 f. 9, where Cuthbert Horsley refers to Carr as his friend and kinsman. In 1556 Thomas Carr of Ford had been an executor to Robert Collingwood of Eslington. *SS*, ii, p. 148.

few supporters in Northumberland even amongst his gentry freeholders. The Carrs were loyal Percy tenants and were thus as unpopular as the earl with the local gentry, so there were mutual benefits in supporting each other. Thomas Carr, like his father John Carr of Hetton was involved with Border military service. He was already a distinguished warden sergeant in the English East March and became marshal of the Berwick garrison in 1555.⁴⁸ This appointment was not due to the influence of the earl,⁴⁸ but it would have been beneficial for the earl to have a loyal supporter in the office as he was warden of the March at the time. From this vantage point they⁴⁹ unsuccessfully tried to rebuild the Percy influence in the area.

Aside from the Carr's few gentry supporters and the support of the equally unpopular Percies their best defence was their actual possession of Ford. The Herons launched an attack on Ford on 27 March 1557 with the support of some of the garrison of Berwick as Giles Heron (brother of Sir George) was then treasurer of Berwick. These particular garrison men were obviously not allies of their garrison's marshal (Thomas Carr). They expelled Robert Carr, brother of Thomas Carr of Ford and the household⁵⁰ servants (Thomas being away at the time) to take possession. The next day an armed conflict took place near Ford between Robert Carr and his men, on one side, and Ralph Gray (high sheriff of Northumberland), Giles Heron, Robert Barrow, mayor of Berwick and their men, on the other. The mayor was slain and Giles Heron later died of his wounds. Exactly who attacked who is uncertain, as one report stated that Grays'

48. P.G. Boscher thinks that the earl did influence this appointment, but Carr became marshal in 1555, two years before the earl was restored. 'Politics, Administration and Diplomacy: The Anglo-Scottish Border 1550-60', Durham Ph.D 1985, p. 291. SP15/8/66. APC, vi, p.243.

49. See chapter two pp. 186-88.

50. LAMB MS 3195 f. 8; MS 696 ff. 83-4.

company were riding peacefully whilst another referred to them as being
⁵¹armed. The quarter session of the Northumberland J.Ps, meeting in
 Morpeth, had to be postponed in case both parties appeared. Sir Robert
 Ellerker regretted this move and complained that the county had enough
⁵²problems with the Scots

wee have god knoweth lytle nedd of any cyvill or demestyque
 division or defection amongst ourselves.....wee think this
 hundreth yeres passed never happed there so perilous a sede
 of malaefull dissention and hatredd to be sown in this
 contrey.

The privy council intervened to settle this bloodfeud, as it was
 disrupting the entire county, just as Ellerker had stated. Their methods
 were not dissimilar to the Scottish privy council to begin with, as they
 demanded reports from the earls of Shrewsbury and Westmorland and the
 bishop of Durham about the feud, who they were also to investigate the
 title of Ford. They were also to bind both parties to keep the peace and
 put the party that had occupied Ford for the last three years in
 possession, which of course was the Carrs. Their arbitration failed, so
 Thomas Carr and Sir George Heron were ordered to appear before the
⁵³council of the North in May 1557. A temporary appeasement followed but
 on 26 January 1557/8 Thomas Carr was murdered whilst travelling to London
 on a Border matter for the earl of Northumberland. His wife had died in
 1555 and her estate had been examined in subsequent Inquisitions Post
⁵⁴Mortem, which vindicated the Carr's right to Ford. However with the death
⁵⁵of Carr the estate was examined again, probably with the Heron's
 encouragement, but as there were surviving children (the eldest was

51. LAMB MS 3195 ff. 6, 8.

52. *ibid*, ff. 5, 9.

53. APC, vi, pp. 86-7.

54. C142/131/159. WARD9/438 f. 54. CPR, 1555-7, pp. 116, 373.

55. CPR, 1557-8, pp. 112, 250, 365-6.

William, a minor) the Heron's case was again lost and the feud continued. The earl of Northumberland was ordered to inquire into the killing, but the murderers were not caught until 1561.⁵⁶ This was not due to negligence on the Earl's behalf,⁵⁷ as he was actually cautioned for being over zealous. He had, immediately after the murder, proclaimed the Herons responsible and confiscated their goods. The Herons and Carrs signed a bond of peace in August 1558,⁵⁸ which ceded the Herons the (Carr's) manor of Simonburn in perpetuity. The privy council had recognized that the Heron's 'kyndred and frendshippe in the said countyes (Northumberland and North Durham) were great'⁵⁹ and they stressed that 'dyvers parcells thereof were onlie for quyetnes sake awarded to the said George (Heron)',⁶⁰ This award was unusually generous on the Queen's behalf as the manor really belonged to her through William Carr being a minor and thus her ward. This pacification also included a marriage agreement, which was more akin to the Scottish method of solving a bloodfeud, and as in the Ker and Scott feud it failed to materialize because of obstructive tactics of the Herons. In 1576 John Heron of Chipchase solemnly conveyed Ford to his son and heir Cuthbert and this act led to a renewal of the feud.⁶¹ On 18 February 1577 John Heron entered Ford and then gave it over to his son Cuthbert. He determined to prove his title by common law, which would have involved a hearing in Newcastle where his friends would no doubt have supported him from the bench. William Carr, no longer a minor, determined to stop them by peaceful means so he successfully asked the Court of

56. C142/174/55. CSP For, 1561-2, pp. 221-2.

57. APC, vi, p. 284.

58. Ibid p. 360.

59. STAC5 C16/4

60. C78/54 no 4.

61. BL Lansdowne MS. 326, f. 44.

Chancery for an injunction against Heron's proposed case. In the resulting⁶² case in Chancery the Herons used delaying tactics on numerous occasions so the case was not resolved until 16 June 1581. However Carr's right to Ford was overwhelmingly endorsed by the Lord Chancellor, who wondered why there had been no 'traverse tended or challenge made', during the minority of Elizabeth Heron and he also denounced a deed of entail that the Herons' based their case on as a forgery. He found that the seal's back 'was newe waxe and the forepart thereof to be an olde seale of some other evidence.....' Indeed one of the 'feofees was deade before the date of the said deede by the space of fyftene yeares.....'⁶³ William was awarded £40 costs, but he was not immediately repossessed of Ford. The sheriff of Northumberland was none other than John Heron of Chipchase, who was unlikely to carry out orders from London to repossess Carr. Carr naturally complained to Chancery, but Heron's allies were still very powerful in Northumberland and he met with more obstruction. In 1582 he found Chancery impotent again, so in 1583 he went to Star Chamber and accused the county coroners Robert Roddam and Ralph Whitfield of ignoring⁶⁴ the writ of Chancery as they did

uniustly confederate themselves with the saide John Heron aswell further and his contemptuous delinge againste the saide order and decree.....

The defendants denied the charges against them, but they were probably well founded as the Carrs were still unpopular amongst the well established gentry families of Northumberland.

The underlying factor in the Heron and Carr feud was their loyalty to the earl of Northumberland, which made them even more unpopular with the

62. C78/54 no 4.

63. *ibid.*

64. STAC5 C16/4

gentry of the county. In 1569 the Carrs of Northumberland proved their continuing allegiance to the earl in the Northern Rebellion as they held Alnwick Castle for him, along with the Collingwoods. One of the sons of John Carr of Hetton went south to join the rebels and one of his daughters was married to another rebel, Cuthbert Armorer. Very few gentry families from Northumberland joined the rebellion so this loyalty is significant.⁶⁵ The feud was thus a political match between those who supported and those who opposed the Percies in Northumberland, as well as being the worst bloodfeud in the Eastern English Borders.

The alliances in Heron and Carr, and Ker and Scott bloodfeuds were consistent, yet the other bloodfeuds that persisted in the Eastern Borders reveal very shifting patterns of allegiance. The Selbies and Reveleys stopped feuding in order to oppose the Carrs and the Kers of Cessford and Ferniehirst deliberately forgot their quarrels in order to feud with the Scotts of Buccleuch.⁶⁶ It would seem that the lairds and gentlemen were able to categorize the importance of bloodfeuds to their own standing in the community. If a major rival or upstart younger son threatened to upset the social structure of the local community, then the lairds and gentlemen put loyalty to their leaders before their own private squabbles.

The other bloodfeuds listed in the appendix were on a smaller scale to the Heron and Carr feud, but they were nonetheless violent and often had social rivalries as a root cause. The Selbies were involved in at least three bloodfeuds and the Collingwoods in two. They were both rising families and arch-rivals in the competition for Border and county offices,

65. CSPDom Add, 1566-79, p. 126. See pp. 407-11 and chapter two pp. 186-88.

66. See appendix nos 1, 27, 28, 197.

so it is not surprising that they clashed.⁶⁷ With there being no magnate in the north-east, through the Percies long absence, court politics became evident in the everyday life of the county community. In the 1570s and 1580s the Collingwoods were clients of the earl of Huntingdon and the Selbies were clients of Sir Francis Walsingham and Lord Hunsdon. The Collingwoods were still causing trouble in the early seventeenth century.⁶⁸ The Grays of Chillingham, a well established gentry family, were clients of the Cecils and were not above feuding either as they joined the Herons in their feud with the Carrs and were also found feuding with the Selbies. These feuds were all typical of a gentry community that had no resident magnate. They were usually pacified by independent arbiters, appointed by the privy council, council of the North, or a London court who agreed compensation, or 'blood' money for the aggrieved party. When there had been murders on both sides of an English bloodfeud settlement was often difficult, but the negotiations were usually kept out of the local law courts in preference for a negotiated solution, as was the case in Scotland (though the prosecution of Thomas Carr's murderers was an unwelcome exception). However, like the Scottish settlements, there was a move towards using assizes when law enforcement became more effective in the Borders, towards the end of the sixteenth century.⁶⁹

The Scottish lairds of the Merse had a resident noble in the Lords Home and the Kers were the foremost lairds in Teviotdale, but their bloodfeuds were remarkably similar to those of the English gentry as political ambitions and courtier politics were also the cause of their

67. See chapter two pp. 199-201 and appendix no 32.

68. See appendix no 38, but this was only a minor branch.

69. SP59/3 f. 221. See appendix, nos 36, 38. Brown, op cit., chapter two.

feuds. The Ker and Scott feud was renewed in the late 1580s when Maitland of Thirlestane and the earl of Bothwell, who were vying for court influence at this time, used their family ties with the two parties to their own advantage. Maitland similarly exploited Bothwell's feud with the Homes of Manderston⁷⁰ but he also managed to prevent Sir Robert Ker of Cessford, who had married his niece Margaret Maitland, from being⁷¹ severely punished for the brutal murder of William Ker of Ancrum. Also because Sir James Home of Cowdenknowes was the head of a rising branch of the Homes he was not punished for murdering Richard Lauder of that ilk.⁷²

Bloodfeuds on both sides of the frontier therefore can rarely be described as purely 'local' matters as court influence⁷³ was often lurking beneath the surface of the quarrel. However local politics were important as well, for traditional rivalries were sometimes the initial cause of tension in a bloodfeud.

III. Property Disputes.

i. Scotland.

Property disputes on the Scottish side were, like bloodfeuds, sometimes connected to national rather than local politics. This was the case with the Homes and Auchinleck, Home of Manderston and Douglas of Parkhead, the Homes against the Cranstons and Ker of Cessford with the earl of Bothwell.⁷⁴ However the bulk of the Scottish property disputes

70. See appendix no 13. Brown, op cit., chapter five.

71. See appendix, no 17.

72. See appendix, no 8.

73. There are fuller discussions of the effects of court faction on the lairds and gentlemen in section four of chapters one and two.

74. See appendix nos 81, 94, 104, 142.

were purely local affairs.

There is more evidence of property disputes in the Scottish Eastern Borders, but this does not mean that the lairds were more quarrelsome here than in the Eastern English Borders. The English gentry were equally conscious of their property rights and could fight with the same intensity over their lands. A commonplace source of aggravation on both sides of the Border were grain tithes or teinds. On the Scottish side teind disputes⁷⁵ were frequently violent such as the Homes of Manderston against the Cranstons of Thirlstane and Corsbie or the dispute over the teinds of Cockburnspath, or the many quarrels in the parish of Duns.⁷⁶ These violent encounters were distinguishable from bloodfeuds as they did not involve intentional murder or injury. They were instead a deliberate show of strength to sway the argument, which was exactly what Sir Robert Ker of Cessford intended in 1595 at Langnewton,⁷⁷ when he carried off the teinds with the support of his kinsmen. Settlement of these property disputes ordinarily involved cautioning the feuding parties with financial guarantors. The cautioners of the Ker of Hirsell and Home of Wedderburn feud were guarantors for 1000 merks in 1591 and in the same year Patrick Home of Ayton was cautioner for £1000 Scots in the Home of Ayton and Home of Tinnis feud.⁷⁸ In most of the Scottish property quarrels that were heard by the privy council the same remedy was applied. This form of pacification, though not entirely effective, did have a reasonable amount of success in the Eastern Borders as none of the property disputes

75. There were differences in the leasing of churchlands between Scotland and England. See chapter three pp. 207-09, 214-19.

76. See appendix nos 81, 109, 112.

77. *ibid*, no 145.

78. *ibid*, nos 129, 138,

were as prolonged as the bloodfeuds. Also, as the cautioners were usually reluctant to part with the large amounts of money they were guarantors for, they were expected to see that their pledges behaved themselves.

All appropriated churchlands⁷⁹ seem to have been contested by the lairds in the Eastern Borders. The region was rich in monastic land with religious houses at Abbey St Bathans, Coldingham, Coldstream, Dryburgh, Eccles, Jedburgh, Kelso, and Melrose. The fight over the priory of Eccles was one of the longest disputes in the area. It was created by conflicting monastic charters, that were a common problem in the sixteenth century and was further complicated by forfeiture. There was no victor in this dispute, but the settlement was not amicable either as the Homes of Cowdenknowes used their power and influence to delay any concession to the Hamiltons of Innerwick. The feud over the tithes of Lauder was equally bitter, but it was a Border matter and did not involve⁸⁰ outsider lairds. Even if a newcomer settled in the Borders to profit from his monastic possession, there often was tension with local lairds who resented their acquisition. For instance James Douglas, commendator of Melrose Abbey (second son of William, earl of Morton) had⁸¹ several conflicts with the Kers of Cessford and their allies. His marriage to a daughter of Cessford's rival, Ker of Ferniehirst, in the 1580s only added to the problem. Sir Robert Ker of Cessford, later Lord Roxburgh, certainly kept up the pressure against Douglas as they were still bickering in 1602 over the lands of Lessuden near St Boswells. When the fifth earl of Bothwell was forfeited in 1592 his lay commendatorship

79. Appropriated churchlands could include monastic lands, teinds and glebelands in Scotland.

80. See appendix, nos 69, 70.

81. See appendix, nos 108, 116, 145, 159.

of Kelso Abbey was granted to Cessford and that of Coldingham Priory to Lord Home. Bothwell's temporary restoration to favour in the summer of 1593 led to his feud with Ker of Cessford.⁸² It was fortunate for all those who had benefited from Bothwell's downfall that his return to grace was over in a few months and they could therefore regain their share of his lands.

The glebelands at Swinton and Langton were a source of violent exchange between the local lairds, Robert Swinton of that Ilk and William Cockburn of Choicelee with the parish ministers.⁸³ The Cockburns even employed two infamous Kers of Teviotdale to harass William Methven, the minister of Langton. These arguments may well have stemmed from the post-reformation shortage of ministers in the Merse. If there was no resident incumbent to farm the glebe then the local lairds, probably as patrons of the parish kirk, took advantage of the situation. As the scarcity of preachers lessened in the Merse the glebelands returned to the ministers when they were appointed, or at least they should have been returned. Resident preachers, though advantageous to the souls of the parish, were apparently unwelcome to the very social group who were to further Protestantism in Scotland.

Another feud concerning church property occurred in the parish kirk of Mertoun. Unlike the examples at Swinton and Langton where the minister was attacked, here part of the fabric of the church was destroyed. In 1598 the Haigs of Bemersyde had decided to install a family pew in Mertoun as the parish was to have a resident minister for the first time since the Reformation.

82. See appendix, no 142.

83. *ibid*, nos 123, 124. See chapter five pp. 364-67.

ane ordinar and resident pastour, quhairof it wes destitute
 evir sen the reformatioun of religioun within this cuntrey.
 (Robert Haig) being ane of the parrochynnaris thairrof, for
 the forder decoiring of the samyn kirk, biggit ane stall
 for his mair commodious sitting in the said kirk....

The Kers of Dalcove and of Shaw, probably backed by Ker of Cessford (Lord Roxburgh), maliciously destroyed the new pew in an act of jealousy. This was, however, a purely local dispute with no outside politics involved, as was typical of most of the Scottish property disputes. Cessford probably wanted to put Haig in his place as he was below him in social rank and his henchmen obliged. The Kers' anger was not extraordinary as church pews were also a common source of aggravation amongst landed families in England as well.⁸⁴

The controversies over land had a familiar pattern in Scotland. If a claimant evicted the tenants or farm servants from lands in dispute, or persuaded them by force to stop ploughing or sowing the land by loosening the plough, he was thus staking his claim to the property in the most effective way possible, as the occupier then had unprofitable wasteland on his hands. Exactly this predicament happened on several occasions in the Merse.⁸⁵ The Homes were adept at this method, even against their fellow Homes, as was the case with the Homes of Blackadder and the Homes of Wedderburn in 1584. The Blackadder Homes had come to the lands of Hilton with sixteen armed accomplices on 2 October 1584 and chased off Home of Wedderburn's tenants with 'thair stalffis and speiris'.⁸⁶ They kept up their molestation for several days so that the tenants dared not 'laubour the saidis landis'. The Blackadder Homes were later cautioned for £500

84. *ibid*, no 153. *RPC*, v, p 534. L. Stone, *op cit.*, p. 225. See chapter five, pp. 364-67.

85. See appendix nos 81, 94, 97, 10, 117, 148, 157.

86. *RPC*, iii, p. 707.

Scots each and were still being cautioned in 1586. Even after the Union of the Crowns in 1603 action to prevent ploughing remained a popular form of property dispute. For instance, in 1605 Sir John Ker of Hirsell stopped the tenants of Ralph Gray of Chillingham ploughing lands very near to the Border, which he claimed were his.⁸⁷ Nonetheless before 1603 domestic, rather than cross-border feuding was the norm in the Eastern Borders.

Alliances in property feuds were, like in bloodfeuds, seldom stable. The Homes being the dominant lairds in the Merse should have considered kindred loyalty to be foremost in the feud allegiances, yet the above example shows that they feuded with each other over property.⁸⁸

When summoned to support Lord Home in a property feud in 1556 the Homes of Wedderburn and Blackadder supported the opposition, perhaps with some misgivings as they had to be compelled to take the opposite side to their kinsman Lord Home. However this time they were at least united on the same side, which was the more natural allegiance for two Home branches that had stemmed from the same ancestor, but they typify the instability of alliance in sixteenth-century feuding. Home was in dispute with the seventh earl of Angus over lands in Cockburnspath. Godscroft tells us that a Douglas of Jedworth Forest said 'to Blakader, Now we of the Forrest, will teach you of the Merse to fight....' Home was angered by these words and afterwards challenged Douglas. His reply was⁸⁹

It is well that ye were (angry) for I was afraid you would not have fought half eagerly, there being so many Humes on the other side.

The Homes of Wedderburn were bound to oppose Lord Home as they had

87. HMC, 9th R, ii, p. 198. See chapter seven pp. 418-19.

88. See appendix nos 107, 138, 151. Home loyalty to their kin chief was less than exemplary, see chapter one pp. 51-56.

89. Godscroft, History, p. 276. See appendix no 54.

subscribed a bond of manrent as tenants of Angus in the Merse. Fortunately for Lord Home no fighting was involved in this feud as Home himself backed away when he saw the strength of Angus's support. The Homes were known to subdue their differences if they were threatened by an outsider, such as the Auchinlecks of Cumledge, but this was similar to the Kers' unanimity in their feud with the Scotts and this again typifies the ambiguity of Border alliances.⁹⁰

Disloyalty to one's kin was particularly evident in the number of property feuds between relatives. Sons are found fighting their mothers over their marriage portions or even their grandmothers. This legal entitlement to the liferent of a third of the husband's property when widowed was particularly irksome to the lairds, but the lairds' widows⁹¹ and wives were known to argue about their portion as well.

ii. England.

Evidence on the English side of the Border is not as plentiful as on the Scottish side, but the survival of records is sufficient to allow a comparison with Scottish property disputes. The English gentry were concerned about similar land controversies to the lairds and they could be equally, if not more, violent than the lairds. The bulk of the English property disputes would have gone to the Council of the North, so they are only traceable in the rare references of cases that reached the London Courts. There are only about thirty-six recorded quarrels of English gentlemen in disputing lands or tithes compared to 120 on the Scottish side. Tithe controversies were a common source of disorder in England,

90. See appendix, no 94.

91. See appendix nos 63, 79, 83, 103, 114, 129, 154, 205.

as they were in Scotland.⁹² The English disputes also involved a show of force, for Ralph Gray's men were organised into a quasi-military formation when they attacked at East Lilburn, whilst his brothers attacked Harehope and both took carts with them to carry home the grain. A witness told⁹³ the Exchequer commission that

one Richard Parker, with Thomas Gray constable of Warke in the saide countie with other frends and servants to the said Raphe Gray to the nomber of fortie persons came to the fields of East Lilburn.... and there and then tooke away thirtie threaves of Rye parcell of the Tythe corne then renewing our of the towne East Lilburn aforesaid, whiche corne was then caryed by the said partie to Chillingham being in value worth six pounds tenn shillings.

Because this feud involved the use of arms in riotous assembly contrary to statute the privy council used the Court of the Star Chamber to prevent⁹⁴ further armed conflict. When arms were used in Scottish feuds the privy council also intervened directly as there were similar laws against riotous assembly in Scotland. Settlement of English tithe controversies was slightly different to Scottish teind arguments as the government had a variety of law courts available to hear the disputes. Beyond the Council of the North and the consistory court at Durham were the London courts such as the Court of Exchequer which gathered information via a commission held in the locality, or the Court of the Star Chamber. The Exchequer cases concerned tithes that had belonged to monastic foundations before their dissolution. The Holborn tithe case emerged with confusion⁹⁵ over whether William Reed or Nicholas Holborn held the lease. Nicholas's

92. See appendix, nos 163, 165-6, 176, 180-3, 186-7, 190-1, 196.

93. E134/ 44 Eliz/ EAST 16.

94. Stone op cit., pp. 235, 237. STAC5 G5/21. See appendix nos 195, 196.

95. See appendix no 181.

father had held a lease of the tithes of Holborn from the Prior of Holy Island dated 5 March 1536 for thirty years. William Selby, acting on behalf of his father Sir John Selby of Twizel who was guardian to Nicholas found the lease after the death of Nicholas's father when he was making an inventory of the deceased's papers.⁹⁶

amonge the wich he founde one Indenture in parchand sealed with a sealle of the pature of our ladie as he thinketh in whyte wax, which this depositioner supposed to have ben the covent seal of the pryory of the holy Ilande.

William Reed on the other hand had been granted a renewal of his 1564 lease of all the tithes of Holy Island by the Crown in 1575, so he had a better claim to the tithes.⁹⁷ This dispute is illustrative of the confusion known throughout England in the years after the dissolution as a result of the monasteries granting extraordinarily long leases to local gentry in advance of their suppression.

The other English property disputes concerned the succession of property, such as the Ilderton of Ilderton feud with the greedy Sir Thomas Gray of Chillingham and the Grays' family battle over the Horton estates.⁹⁸ Some of the disputes had political connections, like Sir John Forster's snatching of Thomas Bate's lands in the aftermath of the 1569-70 Rebellion.⁹⁹ Others were a device to cause a rival the expense of defending an action at a London court, such as the Selby and Forster feud over Middleton Hall and the earl of Northumberland's dispute with Robert Roddam over a demolished house.¹⁰⁰ Local greed was evident in the Strother and Fowberry quarrel, as the Strothers manipulated an advantageous

96. E134 26 & 27 Eliz MICH 20.

97. E310/21/113. CPR, 1563-6, pp. 200-01; 1578-80, no 1301. CSPDom Add, 1566-79, p. 495.

98. See appendix, nos 170, 177.

99. *ibid*, no 172.

100. *ibid*, nos 167, 182.

mortgage of Fowberry from the insolvent and impatient Roger Fowberry. Fowberry discovered later that he would lose out financially in the arrangement and lost his ancestral lands because of the mortgage. He tried to revoke the mortgage but it was upheld in the Court of Requests¹⁰¹ and he was forced to turn to a life of crime.

These other property disputes, were settled in the same manner as tithe cases. The various London courts often ordered local arbiters to settle the matter if they had been petitioned by an aggrieved party. For instance Sir William Reed was an arbiter in the Gray and Forster tithe feud of 1594.¹⁰² Often it depended on who owned the lands as many crown land disputes were heard before the Exchequer, or a local J.P. could intervene to stop the trouble. However, when violence reached an alarming state the privy council took action, via the Court of Star Chamber, to maintain the peace of the county and prevent a bloodfeud arising. English property disputes did not involve monetary cautioning as was the case in Scotland, but overall, the use of the numerous courts seems to have been sufficient to pacify the feuds, that is once they reached the courts.

IV. Miscellaneous feuds.

i. Scotland.

Finally there are miscellaneous feuds, so-called because they do not fit the categories of bloodfeud or property dispute, or simply as their origins are unknown. For instance the feuds between the fifth Lord Home and the fourth earl of Bothwell and between the Kers of Cessford and Kers of Ferniehirst were both stimulated by territorial rivalries and there

101. See appendix, no 181 and p. 414 below.

102. See appendix, nos 197, 209.

were other factors involved, yet they were not bloodfeuds or property
¹⁰³feuds. The Home and Bothwell feud was handed down to the next
generation as the sixth Lord Home and the fifth earl of Bothwell (nephew
of the fourth earl) feuded. Their quarrel¹⁰⁴ again involved territorial
rivalry, but they were occasionally friendly which confuses the feud. In
¹⁰⁵1583 they brawled at Coldingham and were warded, but by 1584 they were
friends again. A similar disagreement followed by a reconciliation
happened in 1587. In 1589 their friendship turned yet again but this time
it was a full scale feud for on 22 August they clashed violently near
¹⁰⁶Carfrae. Following their pattern of amity and feud they were firmly
reconciled by April 1590, but they had now come to realize that their
feud was being exploited by the chancellor, Maitland of Thirlstane, (a
political rival of Bothwell's) to the benefit of neither. Home did not
remain an ally of Bothwell's for long, for within six months he had signed
¹⁰⁷a bond of friendship with Maitland which renewed this feud by
preventing any future friendship between Home and Bothwell. It was
significant that Bothwell ended his feud with the Homes of Manderston in
¹⁰⁸1590, perhaps in an abortive attempt to win back Home's friendship.
There had always been links between the two feuds, but they were separate
issues as Lord Home did not always support the Manderston branch of the
Homes. After the murder of David Home of Cranshaws in 1584, a younger son
of the Manderston family, Home had befriended Bothwell rather than support
¹⁰⁹his kinsmen. Home favoured the 1590 pacification of this feud,

103. See appendix nos 118, 119.

104. *ibid* no 209 and chapter one pp. 117-22.

105. Calderwood, *History*, iii, p. 759.

106. *CSP Scot*, x, nos 191, 389.

107. *NRAS* 832/78.

108. See appendix no 13.

109. This is a typical example of the unstable alliances found in feuds.

probably more for political reasons than feelings of kinship towards the¹¹⁰
Homes of Manderston, as they were not renowned for their loyalty to Home.

Home probably knew well that he would gain financially by discarding Bothwell's allegiance and he was granted the forfeited commendatorship of Coldingham in 1592, which was undoubtedly the wealthiest monastic property in the Merse. Bothwell was incensed by his forfeiture and swore revenge on Home, giving further fire to their feud, but Home no longer regarded his disagreement with Bothwell as a feud. He felt that he had triumphed over a territorial rival and Bothwell's exile was an effective end to all the feuds that he was involved in. During Bothwell's short-lived return in 1583 he tried to repossess Coldingham, as well as Kelso from Ker of Cessford,¹¹¹ but he was unsuccessful.

The numerous feuds that were caused by unknown factors may well have been minor property feuds, or just small disagreements between kinsmen or neighbours. If they had been serious they probably would have been recorded at length.

ii. England.

On the English side of the Border there were similar territorial feuds which were also caught up in both local and national politics. The most important example of this was the long running feud between Sir John Forster and the Percies.¹¹² Forster had first come to the attention of the government in the 1540s when he served well in the military strategy of the rough wooing. His ascendancy continued throughout the 1550s, helped by powerful patrons, such as his brother-in-law Lord Wharton, who made him

110. See chapter one pp. 100-01, 102-05.

111. *ibid* no 142. CSP Scot, x, no 590.

112. See appendix no 243. See also chapter two pp. 136-42.

deputy warden of the English East March. However with the restoration of the Percies in 1557 his rise came to a sudden halt. The earl began a deliberate policy of removing or denouncing the Forsters as his position of warden allowed him to exert political power. However the earl's power base was very weak in the locality¹¹³ and the Forsters were successfully re-established by 1560, when Forster became warden of the Middle March (a post he held for the next thirty-five years). The Percies never managed to renew the strong support they had once had in north Northumberland, which left the area open to local rivalries for office and status.¹¹⁴

Aside from territorial feuds there were a few arguments about wardship and marriage.¹¹⁵ Some feuds were caused by marriage, such as the notorious Heron and Carr bloodfeud that was sparked off by Elizabeth Heron's marriage to Thomas Carr. The Grays of Horton and the Forsters feud originated with the marriage of the widowed Lady Dorothy Forster to a Gray in 1526. The latter feud was little more than ill-feeling between the two parties, yet Lord Grey de Wilton made it out to be serious when he supposedly pacified both sides in 1560, thirty-four years after the marriage! The feud between George Ord of Longridge and John Collingwood of Etal occurred when a marriage contract was unfulfilled. In 1581 the two parties had agreed the marriage of Henry Collingwood and Ann Orde with £50 paid then to Collingwood and £50 to be paid on the wedding day.¹¹⁶ However Collingwood told his son to marry elsewhere as he had only been after the dowry to cover a London debt (a bribe to get him the office of constable of Etal).

113. This contradicts P.G. Boscher, op cit., pp. 290-1, 294.

114. See appendix nos 32, 35, 246. See chapter two pp. 138-42.

115. ibid nos 240, 250.

116. REQ2 164/119.

The feud between Sir Cuthbert Collingwood and Sir John Forster¹¹⁷ was intense despite Forster's senior years. It was a political rivalry similar to the Home and Bothwell feud or the Collingwoods and the Selbies.¹¹⁸ This was not a bloodfeud, rather it was a high-level slanging match that revealed Forster as a corrupt warden and Collingwood as a jealous power-seeker. When Collingwood did succeed in temporarily toppling Forster he created one the rare cross-border feuds of the Eastern Borders.

V. Cross-border feuds.

The feud that Collingwood was partly responsible for starting across the Border was with the Burns of Teviotdale,¹¹⁹ when Forster was suspended from the wardenry of the Middle March for malpractice. Collingwood wanted to prove his efficiency for the post of warden so he decided to tackle the notorious thieves head on and led a hot trod against them, but they knew his plan beforehand and all he found were empty houses. On the very next night over a hundred Teviotdale thieves descended on the area of Eslington and a serious skirmish ensued during which fifteen foot soldiers of the Berwick garrison were killed. The Burns then challenged the Collingwoods and they accepted. A day and time were arranged for a six a side combat, but James VI forbade the Burns to appear as he feared a bloodfeud beginning.¹²⁰ Collingwood, however,¹²¹ presented himself at the meeting place with twelve hundred followers,

117. See appendix no 246. See chapter two pp. 192-99 and 398-9 below.

118. *ibid*, nos 32, 209.

119. *ibid*, no 255.

120. *RPC*, iv, p.81.

121. *CSP Scot*, viii, no 459.

which greatly annoyed the frustrated Burns. Such irresponsibility allowed Forster to resume command of the Middle March and to renew his rivalry with Collingwood. The Burns still bore a grudge against the Collingwoods in 1596, nine years after the challenge, and they made a point of raiding Collingwood property in Northumberland. Nevertheless they were not at feud, thanks to the timely intervention of James VI. Forster, for his part, had earnestly tried to prevent cross-border feuds between the Middle¹²² and West Marches because he knew what the consequences would be.

The three other cross-border feuds were short-lived events that were very different from the cross-border bloodfeuds of the Western Borders. They all stemmed from cross-border frictions, but the Eastern Border feuds were only temporary events, whereas the West Border feuds were internecine and persisted for generations. These disagreements were either settled by the wardens acting on behalf of the respective governments, or were left¹²³ to quieten without any intervention. The lairds and gentlemen generally preferred to avoid cross-border feuds.

The remaining disorder in the sixteenth-century Eastern Borders concerned domestic crimes committed by the lairds and gentlemen.

VI. Domestic Crimes.

i. Scotland.

There was no equivalent of the 1536 Rising, known as the Pilgrimage of Grace, but in Scotland the lairds did become involved with the Northern Rebellion of 1569. The fifth Lord Home and Sir Thomas Ker of Ferniehirst sheltered the rebel earls of Northumberland and Westmorland, after the

122. CBP, ii, no 228.

123. See appendix, nos 254, 256, 257.

rising collapsed in 1569 and tried weakly to continue the aims of this rebellion with other Marian sympathizers in Scotland until 1573. Home and Ferniehurst were the principal Border lairds involved in this rebellion,¹²⁴ but their exploits have been discussed elsewhere.

There were other rebel lairds in the Eastern Borders during the 1580s and 1590s who joined the fifth earl of Bothwell in his terrorizing campaigns against James VI, such as Thomas Cranston of Morriston, Patrick Sleigh of Birkinshire, Rutherford of Hunthill and Craw of East Reston, but they were not punished as severely as Home or Ferniehurst were in the 1570s (with the exception of Morriston, who was forfeited and Sleigh, who was executed). Overall their rebelliousness may have been nothing more than youthful high spiritedness.¹²⁵ However the allegiance of Sir James Ormiston of that Ilk to the previous earl of Bothwell in the 1560s was far more serious.

Ormiston, known as 'Black Ormiston' because of his iron colour (and not to be confused with Cockburn of Ormiston in East Lothian), was a persistent troublemaker from 1547 onwards. He turned to treasonable activities in the 1560s and was a 'principal doer' at the murder of Mary, Queen of Scots' secretary David Rizzio in 1566, as well as being involved with the murder of Darnley in 1567. Forfeiture followed this but he was not captured until 1573, when he confessed to placing gunpowder under Darnley's bed and was summarily executed. Ormiston's lands were never restored to his children, owing to the serious nature of his crimes, but this downfall was no loss to the laird community of the Eastern Borders as Ormiston had never really belonged to them. He had always sided with

124. See chapter one pp. 98-107 and chapter seven pp. 424-26.

125. See chapter one pp. 118-23.

lairds from the Western Borders, particularly with the Scotts of Buccleuch in their feud with the Kers. He was therefore a true 'rebel' laird in the locality because of his uncharacteristic loyalties and criminal intent which contrasted with the lairds who lived in the Eastern
¹²⁶
 Borders.

Other domestic crimes concerned witchcraft, adultery, debt, and murder committed by the lairds. The evidence for most of these crimes comes from the records of the proceedings of justice ayres held at Lauder, Jedburgh
¹²⁷
 and Edinburgh. Charges of witchcraft were unusual amongst the lairds, but Ninian Chirnside of Whitsomelaws was indicted because of his connections with the earl of Bothwell (who allegedly conspired to kill James VI by sorcery). Chirnside must have been acquitted of these charges
¹²⁸
 as he was a free man in 1601.

The most notorious case of adultery concerned Sir John Ker of Hirsel, who married a daughter of David Home of Wedderburn and abandoned her in 1589 for an East Lothian laird's wife (Margaret Whitelaw of that Ilk, who was married to Alexander Hamilton of Innerwick). Divorces were granted to both parties, but Ker was excommunicated as a result and
¹²⁹
 his marriage to Margaret in 1590 was therefore invalid. Ker was thus termed to be 'continewand in his filthie crime of adulterie', until his absolution from excommunication in 1603.

The debts incurred by the lairds were deliberate evasion tactics

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126. RD1/7 f. 131. APS, iii, pp. 6, 137. CSP For, 1560-1, no 792; 1566-8, no 205. CSP Scot, ii, no 490. Diurnal of Occurrents, p. 333. Pitcairn, Trials, i, pt1, pp. 334, 494-9, 511-13.
 127. Pitcairn, Trials.
 128. RPC, vi, p. 685. Pitcairn, Trials, i, pt 2, p. 259.
 129. GD267/31/6. RPC, v, pp. 81, 589. HMC, Salisbury, iv, p. 31. Calderwood, History, vi, p. 205. Pitcairn, Trials, i, pt 2, p. 293. See chapter five p. 365.

rather than serious crimes. Unpaid debts were often linked to feuds, particularly if an injured party put another to the 'horn' for annoyance value or for payment of a debt, but there were also cases unconnected to feuds. John Haitlie of Mellerstain borrowed 4000 merks from two Edinburgh burgesses in 1600, but did not repay the loan before his death in 1602 and this caused problems for his heirs who were summoned for non-payment. Lord Home was similarly summoned for not paying the teinds of Lauder in 1584 and James Pringle of that Ilk was put to horn for not paying his baron's tax in 1591. The payment of ecclesiastical thirds was also grudged by the lairds responsible for them, such as Andrew Home, commendator of Jedburgh, 1569-72 (for Jedburgh) and Robert Ker of Ancrum, 1561 (for Ancrum parsonage).¹³⁰ None of these debts are surprising considering the financial difficulties of these lairds.

Finally there was the far more serious crime of murder. Domestic violence was commonplace in sixteenth-century Scotland (and England), when impetuous temperaments could result in fatalities anywhere and at anytime. Local tensions in the Eastern Borders did result in a few murders that were not linked to feuds. For instance, John Mow of that Ilk was responsible for the murder of William Burn in the kirkyard at Mow in 1540, but he was pardoned and Gilbert Lauder of Whitslaid was indicted with murdering George Wedderat, a burgess of Lauder, in 1565 and was also pardoned in 1566. A less straightforward indictment of a laird occurred when eight non-laird Dicksons were fugitives from justice for killing four neighbouring Gradens in the Merse in 1541. Their kin leader, Robert

130. GD239/4/3/26. RPC, iv, p. 669. RSS, vi, 211; viii, 2425. SHS, 3rd ser, xlii, p. 112. See appendix nos 42, 44, 59, 67, 80, 111, 156, 198. Stair Soc, xxxvi, pp. 21-8. See chapter three pp. 266-67.

Dickson of Bughtrig, was forfeited to be made an example of, although he may have had no part in the murder. Dickson must have later recovered his property as no more is recorded of the case.¹³¹ Later in the sixteenth century there were tensions within the Dickson of Belchester family when John Dickson killed his father in an infamous case of patricide in 1588. John fled to England to evade prosecution, but the case so outraged public opinion that he was repatriated to be forfeited, broken at the wheel and executed in 1591.¹³² Even amidst violent feuding and general Border violence this crime was particularly distasteful to contemporaries of Dickson. Killing an enemy laird or a minion was seemingly pardonable, but patricide was not. Dickson was thus the only Eastern Border laird to be executed for a murder and Patrick Sleigh of Birkinside was the only laird to suffer the same fate for treasonable activities with the infamous fifth earl of Bothwell.

ii. England.

The domestic crimes of the Eastern Border gentry were similar to those of the lairds, but their involvement with rebellions was more pronounced. The Pilgrimage of Grace of 1536-7, was more a complex protest rooted in northern opposition to an insensitive government, than a widespread revolt against the crown. In north Northumberland it became a fight between traditional Percy supporters and the 'new' gentry, who remained loyal to the crown. This division persisted in the subsequent Heron and Carr

131. RSS, ii, 3838; v, 2715. Pitcairn, Trials, i, pt 1, pp. 256, 257, 467-8.

132. CSP Scot, x, nos 464, 522, 545. Chambers, Domestic Annals, p. 224. Pitcairn, Trials, i, pt 2, p. 241.

feud and the 1569 rising, better known as the Northern Rebellion.¹³³ The minority support for the Percies collapsed after this revolt leaving courtier politics, rather than magnatial power, in command of the gentry's loyalty. The only revolt to test the new clientage allegiance occurred in February 1601, when the earl of Essex rebelled.

During the Pilgrimage of Grace the main local support for the rebel brothers of the sixth earl of Northumberland came from the Lisles of Felton, Swinhoes of Goswick and Roddams of Roddam. They were opposed by the Carrs of Hetton, Collingwoods of Eslington, Forsters of Adderstone and Grays of Chillingham and Horton. By the mid 1550s the Percy supporters had gained the defections of the Collingwoods and the Carrs of Hetton and Ford, as the Heron and Carr feud demonstrated, but they were only a minority amongst the local gentry (and the Collingwoods and Carrs had reasons other than Percy loyalty for joining this group). The non-resident seventh earl of Northumberland was confident about his ground support in Northumberland in 1569 when he rebelled with the earl of Westmorland in support of the restoration of Mary Queen of Scots to the Scottish throne and the return of state Catholicism in England.¹³⁴

The earl of Northumberland thinks to have all or most of Northumberland at his devotion.....

The earl was rudely awakened to the true strength of his support from the barony of Alnwick when only a handful of gentlemen joined him. This was a sharp contrast to the beginning of the sixteenth century when the Percies could mobilize 1900 men from Northumberland. The deliberate Tudor policy

133. R.R.Reid, C.Sharp and S.E.Taylor all refer to the 'rebellion', but M.E. James calls it a 'rising'.

134. CSPDom Add, 1566-79, p. 129. See chapter two pp. 135-42.

of weakening Percy support triumphed in 1569, as the seventh earl's restoration and neo-feudal loyalty were shown to be a complete failure.¹³⁵

There is no disputing that the response of the Northumbrian gentry was very poor. S.E. Taylor argues that the earl's tactics were to blame, neither giving his tenants time to assemble at Durham, nor exercising his feudal role with his loyal brother Sir Henry Percy confusing the local gentry.¹³⁶ M.E. James argues that Percy loyalty was well into decline by 1569 with the advancement of families loyal to the crown, like the Forsters from the 1530s and that even a personal appearance by the earl in the shire would not have made any difference.¹³⁷ James's argument is much nearer the truth of the poor Northumbrian response because he charts the progress of the Percy decline from its beginnings in the 1520s. The 1550s revival of the Percies was not a success owing to the twenty-year interregnum of crown control. Even the loyal Sir Henry Percy had little support in the area as Percy authority had diminished to mere rent collecting. The majority of the gentry to the north of the Coquet played no part in the 1569 rebellion. The quelling of the rebels was left to Lord Hunsdon and Sir John Forster with the earl of Sussex joining them later.¹³⁸ The gentry were content to remain independent of the Percies who they regarded as absentee landlords and even the fact that the majority of

135. M.E. James, 'The Concept of Order and the Northern Rising 1569,' P&P, lx (1973), pp. 49-83. See chapter two pp. 138-41.

136. S.E. Taylor, 'The Crown and the North of England, 1559-70; a study of the rebellion of the northern earls, 1569-70 and its causes'. Manchester Ph.D. 1981, pp. 261-71.

137. M.E. James, op cit., pp. 69-75. The Neville tenants of Bywell in Northumberland joined the revolt without a personal appearance from the earl of Westmorland and they were geographically distant from the epicentre of the rebellion as well.

138. CSPDom Add, 1566-79, pp. 141, 158, 165, 242. The fugitive rebels in Scotland will be discussed in chapter seven pp. 424-6.

them were Catholic in 1569 could not make them support a long forgotten earl.¹³⁹ The earls had specifically appealed to Catholic sentiment, so the abstinence of the Alnwick tenants is outstanding.

It was with real commendation that the Queen thanked Sir John Forster for his loyalty and service with 'our good subjects the gentlemen and others of Northumberland'.¹⁴⁰ However the few gentlemen who joined the rebellion should not be overlooked, as well as their reasons for participating.¹⁴¹ Sir Cuthbert Collingwood held Alnwick castle with the support of several of the Carrs, but they rapidly capitulated after Forster's men pinned a notice to the castle gates. Sir Cuthbert was constable of the castle and probably only held it as a gesture of contempt to his rival Forster. Their later feud proved this jealousy, so it is doubtful that he was holding the castle for Sir Henry Percy as James suggests. Collingwood was not forfeited so his loyalty to the crown must have been upheld. If he had genuinely supported the earl he could have gone to join him with 1000 of his kinsmen and tenants (a force he used against the Burns in 1586).¹⁴² Collingwood did work for Sir Henry Percy (eight earl) in the 1580s, but this was probably only to score a point against Forster's local power and all the time Collingwood was working for Percy he was a client of Huntingdon.

Robert Collingwood of Abberwick and Fawdon and Robert Carr, a younger son of Hetton, took part in the actual rebellion and fled to Scotland with the countess of Northumberland after its collapse. They did not join, as

139. See chapter five pp. 337-38.

140. CSPDom Add, 1566-79, p. 246.

141. Despite kinship links with the Swinburnes of Chopwell, the Swinburnes of Edlingham remained aloof from the revolt. NRO ZSW3/35.

142. CSPDom Add, 1566-79, pp. 125-6. James, op cit., p. 72.

Taylor suggests, because they were disappointed at losing a lease of Carham rectory as they were recommended for the lease by none other than Sir John Forster and the earl of Bedford sworn enemies of the earl of Northumberland.¹⁴³ They joined because they were remnants of the Percies' meagre traditional support and were both forfeited.¹⁴⁴

John Carr of Boulmer is only recorded as having been pardoned, but he was probably a Percy tenant allied with the rest of his Carr kinsmen to the earl, and Robert Collingwood, younger of Etal may have joined as a supporter of the Carrs.¹⁴⁵ Tristram Fenwick was a tenant of the Percies, but Ralph and James Swinhoe were not.¹⁴⁶ The Swinhoes involvement is curious as both went to Durham to join the earls, without any connection to them. They may have been employed in the earl of Northumberland's household, but it is more likely that they were protesting about Ralph's imprisonment at Durham in 1568 for committing a murder. Cuthbert Armorer, a younger son of Belford was definitely a servant of the earl and he had married Elizabeth Carr of Hetton, daughter of a Percy supporting family.¹⁴⁷ Cuthbert fled into exile in the Low Countries.

The aforementioned rebels mostly had good reason to join the rebellion, but the case of Sir William Reed is rather obscure. Like Sir Cuthbert Collingwood he was not attainted for his participation in the revolt. His involvement on the earl's side was similarly dubious. Reed deserted his command at Holy Island and travelled to Brancepeth in Durham on the pretext of joining the rebels. He had never been a Percy adherent

143. Taylor, op cit., pp 122, appx 124-5. CSPDom Add 1547-65, pp. 562-3.

144. Stat, 13 Eliz c. 16 i. CPR, 1572-5, pp. 203, 246, 504.

145. CPR, 1569-72, p. 88. Stat, op cit.

146. ibid. CPR, 1569-72, p. 292; 1575-8, pp. 5-6. CSPDom, 1566-9, p. 187. CSPDom Add, 1566-79, p. 349. CSP For, 1566-8, no 2524.

147. CSPDom Add, 1566-79, p. 394. CPR, 1572-5, p. 203. Stat, op cit. Sharp, Memorials, p. 272.

in the past and held no lands of the earl. In fact Reed was a staunch Protestant and depended on crown lands and appointments for his livelihood. He presumably intended to spy on the earl's encampment and report on their plans, but Reed's downfall was that he forgot to inform Lord Hunsdon of his intentions and was thus branded a rebel, instead of a hero. Reed had sympathy from Hunsdon and his fellow courtiers Sir Ralph Sadler and Christopher Norton, who believed that he had 'betrayed the earls' and 'opened all their counsel', yet it took a trip to London to clear Reed's name.¹⁴⁸

What little support the earl of Northumberland had in north Northumberland in 1569 was decimated by the failure of the rebellion. The rebels who had joined him never returned to his allegiance after they were pardoned in the 1570s. They became strong loyalists to the crown, the reverse of their previous allegiance. The Swinhoe brothers found employment in the Berwick garrison, with James becoming a gentleman porter and a crown tenant at Berrington.¹⁴⁹ Cuthbert Armorer also joined the garrison and became a cross-border messenger for Lord Hunsdon, often referred to as 'Cuttie Armorer'.¹⁵⁰ Tristram Fenwick was back in favour by 1580 when he received a crown lease. He later emerged in the ranks of the Forsters allies as he leased his land from them (rather than the forfeited earl) and his son George married Dorothy Forster of Newham, a kinswoman of Sir John Forster.¹⁵¹

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148. CSPDom Add, 1566-79, pp. 171, 179, 195-6, 261, 273, 495. CSP For, 1569-71 nos 216, 790. Sharp, Memorials, pp. 15-16. See chapter two p. 192. Reed was, in fact, a Puritan.
149. See chapter two, appendix.
150. CSP Scot, vi, nos 13, 56, 179, 479, 662, etc.
151. CSPDom Add, 1566-79, p. 164. CPR, 1569-72, p. 407; 1578-80, no 1703. NCH, vii, p. 473.

The local gentry did not take part in any other national plots and revolts for the rest of the sixteenth century, but they continued to feud amongst themselves on many occasions. It was not until 1601, when the earl of Essex rebelled, that there was a response from the gentry of north Northumberland and North Durham, this time in the crown's favour. The Cecils and the earl of Essex were fierce court rivals during the 1590s, both trying to build up and sustain a gentry clientage in the north. Sir Robert Cecil had a commanding lead in the area to the north of the Coquet with the powerful Grays and Selbies in his allegiance, but captain John Selby, younger son of Sir John Selby of Twizel, joined the rebellion. William Selby junior was horrified by his brother's defection and pleaded with Cecil for clemency, stressing his youth and the family's good service in the past. John therefore escaped execution, but was fined £100 as part of his pardon. John had probably joined the rebellion in defiance of the family's loyalty to Cecil to bring attention to his quarrel over office in the Berwick garrison with the obnoxious Willoughby and his deputy John Guevara, in December 1600. Selby had served with Essex on his ill-fated expedition to the Azores in 1597, but he probably did not join his allegiance until the Berwick disaffection which was concurrent with a visit of Essex to Northumberland. When Essex rose Selby went absent without leave to join him. William Selby junior blamed his brother's participation on the enamour between him and a widow (and kinswoman of the earl) Mrs Rotherham, but this was only a side issue or a little promised patronage from Essex to Selby for Selby married someone else.¹⁵²

152. CBP, ii, nos 697, 1255-6, 1335, 1338, 1413. CSP Scot, xiii, pt 2, nos 602, 614. HMC, Salisbury, xi, pp. 75, 117, 212, 214, 564. Watts, From Border to Middle Shire, p. 118

Only one other local gentleman was connected with Essex's revolt, John Swinburne of Edlingham.¹⁵³ Why he participated is unknown, but he may have met Essex locally in December 1600. He was not fined so his involvement must have been slight. Sir Robert Carey reported that many local gentlemen were openly loyal to the Queen during the rebellion, so there must have been very little support for Essex locally.¹⁵⁴ There were rumours about Thomas Carr of Ford being involved with Essex, but he never joined the rebellion and although Nicholas Forster of Bamburgh's nephew,¹⁵⁵ the earl of Bedford, supported Essex, none of the Forsters were involved.

The gentry, on the whole, were fairly law-abiding but some of the lesser gentry were tempted by petty theft, particularly if they were in financial difficulties. There were a few gentlemen murderers as well. Sir Robert Carey thought that gentlemen thieves did not exist until he saw to the execution of two of them in Newcastle in 1598,¹⁵⁶ but there were earlier examples.

In 1562 William Selby of Grindonrig was pardoned for theft and murder and in 1565 John Reveley of Berrington, John Reveley of Humbleton and the aforementioned William Selby of Grindonrig stole cloth from an Alnwick merchant.¹⁵⁷ Arthur Ogle of Trewhitt stole from a neighbour in 1600. They may well have been needing resources or perhaps they were just greedy, but the process of law caught up with them. Gerard Selby of Pawston was another gentleman indicted for not paying £100 owed to the Queen.

John Carr of Hetton copied a garrison method of raising money quickly

153. NRO ZSW322B/20.

154. APC, xxxi, p. 473.

155. CBP, ii, nos 1134, 1434.

156. Carey, Memoirs, p. 48.

157. CPR, 1560-3, p. 323; 1563-6, p. 254. NRO QS1/1 f. 12.

to solve his financial shortfall. He acquired or made counterfeit money and was caught circulating it.¹⁵⁸ His desperation for money had also led him to mortgage Hetton. Roger Fowberry of Fowberry was another financially declining gentleman who turned to crime. He had actually lost his ancestral estates when he turned to theft, but he was captured and sent to Durham gaol, from which he escaped in 1596.¹⁵⁹ Fowberry hid in the Middle March after this and was not recaptured.

The vetera indictamenta for 1594-1630 is the first full record of domestic crime and justice to survive for Northumberland. It contains a few references to gentry, but it mostly concerns the crimes of lesser men and women. Serious criminal matters, such as treason, were always heard at London and pardons were issued from there as well for the petty thefts committed by the gentry.

The gentry of north Northumberland and North Durham were not as criminally intent as the reiving surname groups of Tynedale and Redesdale, but the few incidences of crime prove that they were not infallible. Their crimes were fairly minor, with the exception of rebellion and murder, and they were nearly all pardoned or never prosecuted, which contrasts with the severe punishment of some of the lairds. The financially based crimes are not surprising, as some of the gentry were impoverished or reluctant to lose their ancestral estates.

158. CSP For, 1564-5, no 984; 1575-7, no 665. CP25/2/192/16 & 17 Eliz/MICH. See chapter seven pp. 435-36.

159. CBP, ii, nos 214, 652. See appendix no 188. It was difficult to find a secure prison in the north east as escapes often happened, so perhaps this is why Fowberry was sent to Durham. CSP For, 1559-60, no 449.

By comparing and contrasting the many bloodfeuds, property disputes, other feuds and domestic crimes of the Eastern Borders from 1540-1603, a pattern emerges of the various violent and criminal disorders. These incidents were often linked to local and national politics through the personal rivalries and jealousies of the lairds and gentlemen, on both sides of the frontier and alliances were seldom stable, with the exception of the Ker and Scott, and the Heron and Carr feuds. Overall these men and their families had shared everyday interests and problems that were more important to them than the vicissitudes of the Border administration, so a local property dispute probably merited more attention than attendance at a day of truce. The Eastern Borders suffered less from cross-border raiding and feuding than the Western Borders, so it is the domestic violence that dominated local society. The settlement of individual feuds, with the exception of bloodfeuds, was no quicker on the Scottish side than on the English side. Just because the Scottish privy council was nearer to the Borders did not mean that it was more effective. The English privy council acted with sufficiency, although communications did take rather longer to reach them, but they must have used the Council of the North on numerous occasions that are now lost to the record. This loss is regrettable, yet unavoidable. It must have been far easier and less expensive to travel to York than to take civil litigation to London, yet the gentry went south, or were summoned southwards, in sufficient numbers to allow a favourable collation of Scottish and English feud sources and the more serious domestic crimes were only heard in London. Overall, the gentry received pardons or less severe punishment than the lairds for their domestic crimes. The level of violence in the Eastern Borders was not inconsistent with the general pitch of disorder between

members of the social elite in the sixteenth century in both Scotland and England. This region's violence should therefore be kept in perspective and not be over-emphasized.

CHAPTER SEVEN

CROSS-BORDER RELATIONS

The relations between the inhabitants of either side of the Eastern Anglo-Scottish frontier can be viewed in both an official and unofficial capacity. There were official contacts through the administration of Border law alongside the mostly unofficial and unwelcome forays into either realm for the purposes of reiving, burning, ransoming or other general troublemaking. However there were locally beneficial cross-border relations that proved to be beyond the control of the Border administrators, notably in trade and employment of Scots in England, as well as friendships, marriages and the provision of useful shelter for fugitives from justice. Social contacts between the landed men of the region were noticed more towards the Union of the Crowns in 1603, but they were a long-established cross-border trend that only merited official attention when James VI looked increasingly likely to succeed Elizabeth I.

I. Official Cross-border Relations.

The official relations across the Anglo-Scottish frontier were usually concerned with the endemic violence of the region and the subsequent redress needed to correct the wrong-doing which was agreed by the wardens of the Marches their meetings known as days of truce. This aspect of Border history has naturally dominated surviving documentation and subsequent historical research.¹ The Eastern Borders were comparatively

1. The administration of the Borders will only be discussed briefly here as it has been fully researched by T.I. Rae, The Administration of the Scottish Frontier, 1513-1603; D.L.W. Tough, The Last Years of a Frontier and C.A. Coulomb, The Administration of the English Borders. For Border law see W. Nicolson, ed., Leges Marchiarum.

less violent than the Western Borders, though there were reiving lairds in Teviotdale and Jedforest. The problems facing administrators were the same throughout the Borders, but the actual records of the days of truce do not survive in sufficient quantity to give precise details of these meetings. In 1586 the records were said to be 'not so orderly kept' and were probably only registered in an informal manner, but there was copious² correspondence both before and after these meetings between the wardens.

The Eastern Borders had its own 'debateable ground', consisting of three areas between the Scottish Middle March and the English East March (100 acres at Carham, 300 acres at Haddenrig and forty acres at Wark). These disputed pockets of land were much smaller than the infamous 'debateable ground' of the Western Borders, but they caused significant friction between the Marches on occasion. In 1551 a survey of the March boundaries noted the different English and Scottish descriptions of the³ disputed borderline. The disputed lands were controversial from the time of the battle of Flodden in 1513, when Scots had pastured and cultivated the lands in question and this had led to them being called the 'repleynissed ground'. There was no complaint about this until 1541,⁴ when English officials destroyed the crops sown there. Despite efforts made by Border commissioners to arbitrate the disputed lands in 1556 and 1563, they remained contentious. In 1573 the Pringles claimed that Sir Thomas Gray of Chillingham had stolen over 1,000 of their sheep and cattle

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2. GD40/2. APS, iii, pp. 461-6. CBP, ii, no 1310. CSP Scot, viii, nos 60, 739. Calderwood, History, iv, p. 171. Fraser, Douglas, iv, nos 176-216.
 3. SP15/4/30 f. 67. This document also gives an insight to the format of a day of truce and the warden's court (ff. 82-93). For further detail of Border office holding see chapter one pp. 87-90 and chapter two pp. 177-85.
 4. Hamilton Papers, i, nos 73, 304. L & P. Hen VIII, xvi, nos 990, 1206, 1263, 1399.

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that were

feeding within English ground which the Scots
affirm was done on Scottish ground.....

Sir Thomas produced a boundary agreement to further his claim, but the Pringles rejected this and an international commission was again convened to arbitrate their claims. These arbiters were not successful as the Scots complained that Gray had ploughed their lands in 1590 and the debate continued for the next three centuries.⁶

The tension between the English East March and the Scottish Middle March was counter-balanced by good relations between the two East Marches.⁷ The lairds of the Scottish East March and the gentry of the English East March had a mutual abhorrence of violent reiving. There were a few incidents between these Marches, but they were insignificant in comparison to the overwhelming co-operation shown by these men against reivers. For instance, at the swearing of Border bills in 1596-7 Cuthbert Home of Reidheuch, Robert and John Home of Ayton, Mr John Home of Tinnis and Mr James Home of Hilton all helped 'foul' (prove or file) English bills for redress against fellow Scotsmen.⁸ The English East March gentlemen also travelled freely into the Scottish East March on Border business. In this capacity Ralph Gray of Chillingham went to Wedderburn

5. CBP, i, nos 6, 77. CSP For, 1572-4, no 1193.

6. GD6/648. CSP Scot, x, no 354. HMC, Ninth R, p. 198; Salisbury, x, p. 47. In 1604 Ralph Gray of Chillingham granted land in Yetholm parish to Nicol Rutherford of Hundalee, so there was no effective settlement then and another commission was appointed in 1605. Timothy Pont's survey of Teviotdale in the 1590s interestingly put the Northumberland villages of Mindrum and Shotton in Scotland in the map by J. Blaeu, Teviotdale, whilst Armstrong's map of Northumberland in 1769 shows there was still a 'disputed ground' on the Border.

7. STAC5 G4/27. APC, xix, p. 442. CSP Scot, xiii, pt 1 no 83.

8. SP59/33 ff. 135-142. SP59/34 ff. 262-8. For a description of the unique Border terminology such as 'foul' see CBP, ii, no 1310.

9

Castle in 1597.

The goodwill between the East Marches allowed Scottish royalty to view Berwick, on several occasions, without incident. Mary, Queen of Scots was met at the 'bound road' by Sir John Forster in 1566 and conveyed to Halidon Hill, the nearest vantage point, to witness a cannon volley of welcome.¹⁰ Her son James VI also viewed Berwick from Halidon Hill in April 1588 and rewarded the gunners for their half-hour volley from the walls of the town. Lord Home and other attendants of James VI accepted an invitation to witness the cannon fire from Berwick, although the English motive behind this was probably to gather intelligence, rather than extend hospitality. The English firepower used on this occasion was no doubt a timely reminder to James VI not to meddle with Spanish interests, with the expected arrival of the Spanish Armada. In 1595 it was rumoured that James VI and Anne of Denmark wished to see Berwick as they made a progress through the Merse, but it is unclear if they did so.¹¹

International events tended to be reflected in the administration of the Borders, for the trial and subsequent execution of Mary, Queen of Scots led to a succession of cancelled meetings between the wardens of the Middle Marches in 1586-7.¹² However Border incidents could conversely create international tensions themselves.

9. BL Cotton MS, Caligula, D, ii, f. 337.

10. Keith, History, ii, pp. 469-71. Knox, History, ii, pp. 191-2. Melville, Memoirs, p. 173. Melville suggests that Forster's horse reared up in front of the queen, injuring her, but no other report mentions this.

11. BL Cotton MS, Caligula, D, i, ff. 336-7. CSP Scot, ix, no 455. HMC, Salisbury, v, p. 192. Moysie, Memoirs, p. 67.

12. CBP, i, nos 470, 473, 475, 476, 485, 489, 493. W. Ferguson, Scotland's Relations with England: a Survey to 1707, chapters four and five.

II. Cross-border Incidents.

Throughout the period 1540-1603, there was a regular pattern of raiding across the frontier that was particularly intense during the long, dark winter nights. This was inevitably followed by lengthy attempts to gain redress through the wardens. Overall these forays were so commonplace as to be unremarkable, but there were several incidents that severely affected cross-border relations in the Eastern Borders. The savagery of the English attacks of the 1540s soured potential and existing¹³ friendships between the lairds and gentlemen for at least a generation. The Kers of Cessford and the Carrs of Hetton would have been on friendly terms considering their mutual, if remote ancestry, if it were not for the fact that Walter Ker had taken John Carr prisoner in 1542 and demanded¹⁴ ransom (which was still unpaid in 1551). This was only one small Scottish victory in a decade of devastating English attacks. The majority of these forays were successful, but one party intent on burning Cumledge¹⁵ and Chirnside 'missed their way in the dark'.

The 1550s were a less violent decade than the 1540s, but they were not exactly peaceful either. On a purely local level there were several Anglo-Scottish disputes over fishings in the River Tweed that had to be settled by arbitrators. To trouble the fishing ground on the opposite side of the Tweed was against Border law, but this merely proved that¹⁶ these grounds had been contentious for a long time. The main source of trouble was the law that fishermen could throw their nets over the whole river as long as they landed their catch on their own side of the Tweed.

13. See chapter one pp. 91-96.

14. APC, i, p. 27. SS, ii, p. 38.

15. L & P. Hen VIII, xix, pt 2 no 33; xx, pt 2 no 456; xxi, pt 1 no 1279.

16. D.L.W. Tough, op cit., p. 104.

The points of conflict were at Holywell, a fishing stretch between Norham Castle and Lord Home's barony of Upsettlington, and between Coldstream (Lennel) and Tillmouth. Lord Home's adversary in this matter was usually the incumbent captain of Norham. Home's nets were cut in 1553, 1561, and 1563 by Henry Percy and Thomas Clavering,¹⁷ but like the debateable ground of the Eastern Borders, there was never any satisfactory or lasting agreement about these fishings, for trouble flared again in 1602.

Shipwrecks off the treacherous Northumbrian coastline were a source of major international concern, but as the plunderers were often local gentlemen they were locally as well as nationally important. The superior of the land nearest the shore where the wreck occurred usually asserted his right to the bounty, such as the earl of Northumberland at Tughall and Swinhoe in 1567.¹⁸ Sir Ralph Gray of Chillingham claimed a Scottish ship 'the Marie' at Ross in November 1559 and Thomas Clavering, the captain of Norham, took the Scottish ship 'Bonaventure' at Scremerston in December 1559.¹⁹ In the subsequent Anglo-Scottish wrangles for compensation Gray denied his involvement, blaming his water-bailiff and John Horsley of Outchester instead. Thomas Clavering absolutely refused to pay £2,000 compensation demanded by Scottish merchants at the Court of the Admiralty, as he claimed that only £44 worth of goods were actually salvaged. Ultimately these gentlemen were forced to pay small amounts to the unfortunate merchants, along with George Muschamp of Barmoor and Sir John Forster of Bamburgh, who had to pay for the plundering activities of their

17. SP15/4/30 f. 71. APC, iii, p. 439; iv, p. 352. CBP, ii, no 1484. CSP For, 1553-8, nos 53, 66; 1560-1 no 1039; 1563 no 993. CSP Scot, i, no 401. RPC, i, p. 148.

18. ALN MS AI/1 f. 15.

19. CSP For, 1559-60 nos 248, 268-9, 276, 310, 532, 533. Sadler Papers, i, pp. 593-4, 672-3.

tenantry.²⁰ These payments did not deter the local gentry, for in 1568 a Dutch ship was looted at Dunstanburgh by Sir Thomas Gray of Horton and Lancelot Lisle, whilst another wreck there in 1592 was claimed by Ralph Gray of Chillingham and the officers of the earl of Northumberland.²¹

The shipwreck disputes were basically domestic incidents that led to international tension. The cross-border skirmishes of the later 1550s were however of international origin. The tense alliance existing between England and France had broken down in 1557, but neither side contemplated full-scale war. The English decided to manipulate contemporaneous Border conflicts instead, as the French influence was still powerful in the Scottish administration, but the Scots led a pre-emptive attack in August 1557. This led to a series of counter-attacks that culminated in the battle of 'Blackberye', in November 1557, where 400 Scotsmen were taken prisoner. The troubles persisted in 1558 with the demise of the Catholic Mary Tudor and the accession of the Protestant Elizabeth. The most serious local happening concerned the murder of William Swinhoe of Cornhill and the capture of his garrison at Wark by the Scots.²² This attack may also have been motivated by some trenchant revenge motive on the Scots behalf as there had been a massacre of Scottish prisoners at Wark in 1546. There were other encounters at Langton, Grindonrig, near Berwick and an episode known as the 'Norham Chase' where more Scottish prisoners were taken. The Scottish prisoners included the Ker lairds of Littledean, Corbethouse, Shielstockbraes and Lochtower, as well as the

20. CSP For, 1561-2 nos 200, 574, 630; 1562 no 288; 1563 nos 279, 916, 993, 1280. CSP Scot, i, no 1034.

21. SYON MS EIV/3/h. CSP For, 1566-8, no 2242.

22. CS6/29 f. 95. LAMB MS 3195, ff. 72, 270, 278. NRO 1DE/7/109. CSP For, 1558-9, no 139. W. Ferguson, op cit., pp. 67-70. Rae, op cit., pp. 187-8. J. Wormald, Court, Kirk and Community, pp. 114-17.

Rutherfords of Edgerston, Hundalee, Hunthill and Nisbet and Young of
²³ Otterburn. These captives would no doubt have been held for ransom as
 the Borderers were particularly adept at ransoming men of substance during
 the sixteenth century. The practice was perhaps more of a game to them
 than a serious financial transaction, as there is little indication of
 whether the amounts demanded were ever paid. James Home of Cowdenknowes
 found a way around this predicament by arranging his release in exchange
²⁴ for Rowland Forster of Lucker, who was a Scottish prisoner.

The Anglo-Scottish troubles intensified in 1560 when Elizabeth I
 launched a military campaign to assist the Protestant Lords of the
 Congregation, in their attempt to oust the French forces from Scotland.
 This full-scale military commitment ended the series of Border skirmishes
 that had begun in 1557, but cross-border friction of international concern
 occurred again in 1569 when supporters of the failed Northern Rebellion
 fled into Scotland in December 1569. The sheltering of fugitives from
 either realm was not a new phenomenon in 1569 as there seems to have
 always been reciprocal sympathy for them in the Eastern Borders, but in
 this case an English Catholic minority were sheltered by minority
²⁵ Catholics in the Scottish Eastern Borders.

The fleeing rebels, led by the earls of Northumberland and
 Westmorland, were welcomed into Liddesdale by James Ormiston of that Ilk.
 This reception was pre-arranged as Mary, Queen of Scots had
 previously been in correspondence with her loyal supporters in the

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23. APC, i, p. 399; vi, pp. 318, 396. CSP Dom Add, 1547-65, pp. 464-5, 468, 470, 474, 482. CSP For, 1559-60 no 35. Sadler Papers, i, pp. 453-4, 483. R. Holinshed, *The Chronicles*, i, pp. 362-3.
 24. CS7/2 f. 64 CS7/16 f. 56 CS7/42 f. 59 CS7/63/1 f. 94. ADCP, 546, 550, 566. CSP For, 1559-60, no 35. TA, viii, p. 193.
 25. LAMB MS 3195 f. 6. CSP For, 1563, nos 112, 224, 273. See chapter five pp. 337-38, 356-58.

Borders, in anticipation of the rising's success. Now that the uprising had failed, the rebels knew that they had little option but to enter Scotland, where they were guaranteed shelter.²⁶ The earl of Northumberland was captured, but the others found sanctuary with Sir Thomas Ker of Ferniehirst, Sir Walter Scott of Buccleuch, Sir Thomas Turnbull of Bedrule and the fifth Lord Home. Ferniehirst Castle was visited by Robert Constable, a well disguised English spy, who reported that he had 'waded into trap those who trust in me - as Judas did Christ'. He was unwittingly escorted there by George Pyle of Millheugh and found Westmorland out walking, oblivious to the danger he was in. The countess of Northumberland along with the few rebel gentlemen of Northumberland, Robert Collingwood of Abberwick, Robert Carr of Hetton and Ralph Swinhoe of Cornhill, moved on to the more civilized surroundings of Hume Castle,²⁷ whilst Tristram Fenwick of Brinkburn stayed at Bedrule.

The rebels took great delight in raiding back into England to cause maximum harrassment to their enemies, but the ultimate revenge was carried out by the earl of Sussex and Lord Hunsdon, warden of the English East March, who launched a two-pronged attack on the houses of those who had sheltered the rebels. It seemed as though the savagery of the 1540s had temporarily returned to southern Scotland as Ferniehirst Castle was razed to the ground by Sussex; then Hume Castle was battered until it

26. GD40/2/19/1/1A. NLS MS 7103. CSP Dom Add, 1566-79, pp. 126, 164. CSP For, 1569-71, nos 555, 556, 565. CPR, 1572-5, p. 513. HMC, Salisbury, i, pp. 390, 459. Sadler Papers, ii, pp. 110-123.

27. CSP Dom Add, 1566-79, p. 179 (which wrongly states that Robert Collingwood and Ralph Swinhoe were taken captive in 1570). CSP For, 1569-71 nos 603, 627, 686, 715, 840, 858. Camden, The History of Princess Elizabeth, pp. 122-4. Pitscottie, Historie, pp. 220-2, 226-7. Diurnal of Occurrents, pp. 154-5. R. Pollitt, 'The Defeat of the Northern Rebellion and the Shaping of Anglo-Scottish Relations', SHR, lxiv (1985), pp. 1-21.

surrendered.²⁸ Westmorland escaped to the Low Countries, via Aberdeen, but lesser men such as Ralph Swinhoe remained fugitive in Scotland until he was captured, by the righteous Alexander Home of North Berwick, in 1573. The fact that Swinhoe had stolen animals and goods from Home's²⁹ property of Trottingshaw in the Lammermuirs did not endear him to Home.

The next cross-border incident of consequence was the Redeswire Fray of 1575, but it did not really concern the Eastern Borders as a whole. The fracas arose during a day of truce concerning the men of Tynedale and the men of Liddesdale, which was being held near the source of the river Rede, south of Jedburgh. The earl of Huntingdon suggested that this incident brought the two realms to the brink of war, but he was over-reacting in a deliberate attempt to gain control over the Border wardens, who were outwith his jurisdiction as president of the Council of the North. The incident did, however, offend Elizabeth I for Sir John Forster, Sir Francis Russell, Sir Cuthbert Collingwood and several other gentlemen were seemingly taken prisoner by the Scots in the melee. The Scots, for their part, maintained that they had only been protecting these gentlemen and this was probably nearer to the truth. The same policy was later adopted by the Homes during a skirmish at Norham Ford in 1597. The proof of the Scots' sincerity was shown in the release of most of their so-called prisoners on the day after Redeswire. David Home of Godscroft clearly blamed the English side for causing the initial trouble and singled out Forster's arrogance towards Sir John Carmichael of that Ilk,

28. SP59/20 f. 107. CSP For, 1569-71, nos 686, 841, 858. CSP Scot, iii, no 960.

29. CSP Scot, iii, no 290. RPC, ii, p. 245. Some of the rebels were involved in cross-border religious intrigues. See chapter five pp. 354, 364 and chapter six pp. 407-11.

the keeper of Liddesdale, as the main source of tension. This had incited the Tynedale contingent to shoot arrows into the Scottish delegation, who naturally responded and killed Sir George Heron in the process. The earl of Morton, then regent of Scotland, tried to play down the occurrence by sending falcons to influential Elizabethan courtiers, but they responded³⁰ that he had given them 'live Hawkes for dead Herons'.

The Redeswire Fray was settled by Border commissioners. It had been a strain on Anglo-Scottish relations, but it was not as serious as the death of Sir Francis Russell at a day of truce in 1585, which contributed to the³¹ toppling of the Scottish government of the earl of Arran. However, within a year an Anglo-Scottish league had been agreed that assured future peace between the realms and made James VI a 'client prince' of Elizabeth I. The strength of this league overshadowed localized cross-border incidents, which did not receive as much attention as they had³² previously. This was especially obvious in December 1587 when a pitched battle occurred between Sir Cuthbert Collingwood, acting deputy warden of the English Middle March, and the young, bellicose Robert Ker of Cessford. It was a stupid and avoidable confrontation that left fifteen English soldiers dead, but did not cause an international furore on the scale of³³ Redeswire or the Russell murder. This incident also heralded the

30. CSP For, 1575-7 nos 216, 218, 220, 222-3, 234, 245, 275, 309, 332-4, 432. CSP Scot, v, no 166. Godscroft, *History*, pp. 339-40. Spottiswoode, *History*, ii, p. 198. M.C. Cross, *The Puritan Earl*, pp. 202-04. J. Reed, *The Border Ballads*, pp. 118-123. See chapter two pp. 192-99.

31. G. Donaldson, *James V - James VII*, p. 167. See chapter one pp. 111-13.

32. K.M. Brown, 'The Price of Friendship: The well-affected and English Economic Clientage in Scotland before 1603', in R.A. Mason, ed., *Scotland and England, 1286-1815*, pp. 139-162. Rae, *op cit.*, p. 220.

33. CBP, i, nos 570-7, 582. See chapter two p. 195.

beginning of a period of intensified reiving.

The wardens and their deputies varied in their individual response to the persistent problem of cross-border reiving. Lord Hunsdon, when he was in residence, was reported to take 'as great pleasure in hanging thieves as other men in hawking and hunting'. Hunsdon was, however, non-resident from 1587 until his death in 1596, so the Scottish reivers' attacks on the English East March went largely unpunished. By contrast Sir John Forster made private pacts with notorious reivers that protected his own and his kinsmen's property. Forster, being a native Borderer, knew the value of the Border custom of self-protection. His action was contrary to Border law, but these laws were overwhelmingly flouted. Forster was at least able to keep a modicum of peace in his Middle March, unlike the blatantly antagonistic efforts of Collingwood in 1587 or the over-zealous actions of Hunsdon's sons, Sir Robert and John in 1596.³⁴ John Carey was impatient for redress of a horse theft, so he sent some of his garrison company to the house of one of the principal offenders, John Dalgleish. They hacked John to pieces on his doorstep and retreated to Berwick. Carey expected to be praised for his actions, but received nothing but condemnation. Elizabeth I referred to it as 'verie barbourous and seldom used among the Turckes'. Sir Robert Carey remained within the confines of Border law to seek his vengeance on Scottish thieves and hung a favourite reiver of Sir Robert Ker of Cessford for March treason.³⁵ Though legal,

34. CBP, ii, nos 279-80, 329, 351, 375. CSP For, 1575-7, no 438. L & P Hen VIII, xviii, pt 1 nos 141, 207, 237, 567. HMC, Third R, p. 50. See chapter two pp. 191-92, 195-99.

35. SP59/32 f. 4. CBP, ii, nos 298, 329, 337. CSP Scot, xii, nos 272 (p. 330), 437. Carey, Memoirs, pp. 33-42. John Carey's attack was not in revenge for the daring escape of Kinmont Willie Armstrong from Carlisle Castle as S.J. Watts suggests in From Border To Middle Shire, p. 117.

this was a most provocative act at a time of intense reiving and proved to be counter-productive as the raiding only intensified further.

The bleak reiving years of the mid 1590s were ended with an important meeting of the Border commissioners in 1596-7. Many back-dated bills for redress were heard, but the principal demand by the English commissioners was for the delivery of Sir Robert Ker of Cessford and his brother-in-law, Sir Walter Scott of Buccleuch, the two most infamous reivers affecting the Eastern English Borders.³⁶ By contrast the English officials noted that certain lairds like Sir Andrew Ker of Ferniehirst, William Douglas of Bonjedward and Lord Home were 'good and peaceable neighbours to England'.³⁷

The meeting scheduled between the Border commissioners at Norham Ford on 8 October 1597 was designated for the exchange of pledges for unpaid Border bills. Cessford and Buccleuch were the prized pledges demanded by the English, but they were conscientious enough about producing their own pledges, for 'one of the number were dead, yet was he brought and presented at the place'. The meeting proceeded well, with Buccleuch giving up himself to Sir William Bowes, the chief English commissioner. Cessford, however, determined to make trouble as he was most reluctant to go into English custody as a pledge. At dusk one of Cessford's men let off a pistol, which instantly created havoc in the half-light. The soldiers from the Berwick garrison panicked and³⁸

36. CBP, ii, no 507. CSP Scot, xii & xiii pt 1 (numerous references to Cessford and Buccleuch's activities across the Border). HMC, Milne-Home, no 140. Knox, History, i, p. 124.

37. CSP Scot, xiii, pt 1 no 50.

38. The poor targetting of the garrison's guns may have been caused by poor light, poor marksmanship, inferior weaponry or a command to fire into the air. In 1591 some of the Homes caught up in a domestic feud fired fifty shots across the Tweed without finding their target. Godscroft, De Familia, pp. 79-80. See chapter six, appendix no 129.

bestowed 200 bulletts and yet by the gracious providence of god, slew no man, but forced all men with the speed they could to quitt the place.

Lord Home and the Homes of Ayton, Huttonhall and Wedderburn saved the situation by crowding around Sir William Bowes to protect him and the local gentry who had accompanied him, namely Ralph, Edward and Roger Gray of Chillingham, Robert Clavering of Callaly and James Swinhoe of Berrington. The English gentry were all escorted to Huttonhall, about five miles from the scene, where they dined before being escorted back to Berwick by the Homes.³⁹ Lord Home was greatly praised for his bravery by both James VI and Elizabeth I, as he and his kinsmen had prevented the incident becoming a blood-bath.

The exchange of pledges led to a decrease in Eastern Border reiving. Days of truce were certainly more peaceful, but there were still a few cross-border incidents connected with pasturing and hunting. The Redesdale hunting incident of August 1598 was the result of over-zealous retribution by Sir Robert Carey, then warden of the English Middle March, against his long-time adversary Sir Robert Ker of Cessford. Carey had still not learned that it was better to mediate Border problems rather than revenge them. James VI was furious that Carey had attacked his favourite, but Cessford was uninjured whereas William Douglas of Bonjedward and his son, Rutherford of Hunthill and Ker of Primsideloch were either injured or imprisoned. The Scots had been out hunting along a

39. SP59/35 ff. 257-60. CBP, ii, nos 783-6. HMC, Salisbury, vii, pp. 226-7, 238-41; ix, pp. 16-17, 28-9, 107. The Scottish pledges included a number of lairds from the Middle March - Robert Frissell of Overton, Dand Pringle of Hownam, James Young of Feltershaw, Ralph Mow, younger son of that ilk, Jock Burn of the Coate and his brother Ralph, ? Rutherford of Littleheuch and William Tait of Cherrytrees. For the subsequent progress of these pledges see chapter one, p. 128.

controversial, yet 'usuall', route that crossed the frontier. Game could hardly be expected to recognize an unmarked international boundary, so the Scots continued their chase into English territory before returning to Scotland.⁴⁰ Carey should have made his protest through official channels, but he was determined to settle the issue with a fight. He therefore took 400 armed men four miles into Scotland to attack the hopelessly outnumbered Scots with Cessford.

Sir Robert Carey's attack was seen as heroic by some Englishmen for Lord Willoughby, warden of the East March, tried to emulate it in 1599. Willoughby hunted very close to the Scottish Border hoping to 'prove things', but the Scots refused to rise to the challenge.⁴¹ The late sixteenth century English wardens were all outsiders who were arrogant and deliberately provocative towards the Scots. It was fortunate that James VI personally intervened in Eastern Scottish Border affairs from 1598-1603 to prevent Scottish retaliation to the English wardens' short-sighted provocation. James knew well that a serious cross-border skirmish could blight his chances of acceding to the English throne, but it could also have jeopardized the lucrative cross-border trade that many relied upon.

III. Trade Across The Frontier.

The Border was only recognized by the local inhabitants when it was convenient for them. It was seldom adhered to where economics were concerned as cross-border trade was lucrative.⁴² The Scots of the Merse

40. SP59/37 f. 306. CBP, ii, no 410, 975, 986-9, 992. CSP Scot, xiii, pt 1 nos 303, 313, 315, 318-20. HMC, Salisbury, xii, p. 115. Carey, Memoirs, p. 55.

41. CBP, ii, no 1085.

42. A. Cardew, 'A Study of Society in the Anglo-Scottish Borders, 1455-1502'. St Andrews Ph.D 1970, p. 194. Rae, *op cit.*, p. 225. S.G.E. Lythe, The Economy of Scotland, pp. 215-231.

commanded the obvious geographical hinterland of the borough of Berwick-upon-Tweed and the fact that Berwick was no longer Scottish could not detract from the natural flow of trade. The Merse, after all, had no alternative outlet as suitable as Berwick for their trade. There was much illicit trading throughout the Eastern Borders as the frontier was too open to prevent this trade, but the bulk of trading centred on Berwick. English horses made up a good proportion of this illegal trading as they were particularly valued by the Scots.

Berwick-upon-Tweed had finally become an outright English possession in 1482. The borough then became a garrison town, run by military men rather than by the guild of burgesses. The guild had a voice within the confines of the town council, but the policy decisions were made by the governor of the garrison who occasionally attended their meetings. This arrangement inevitably led to confrontations between the mayor and the burgesses on one part, and the governor on the other part, in 1584 and 1593. The guild's complaints were numerous, but one of the most contentious issues was the number of Scots frequenting and supplying their market. Henry VIII had positively encouraged Scottish merchants to supply the town in 1532 at the market at 'Calfhill within the Berwick bounds', as the large, permanent garrison perpetually needed victuals and the Scots were only too willing to oblige. An Act of the Scottish parliament in 1535⁴³ prohibiting this trade did not deter the Scots. Even in the miserable 1540s it was agreed the 'Berwick with its ancient limits shall remain at

43. BL Cotton MS, Titus, C, xii ff. 56-62. BRO B1/2 f. 1. APS, ii, pp. 346-7. CBP, i, nos 240, 806-07, 810. CSP For, 1558-9, no 600; 1575-7, no 1432. L & P Hen VIII, xvi, no 120. HMC, Salisbury, xv, p. 351. Pitcairn, Trials, i, pt 1, pp. 181-2, 379, 476. H.M. Wallace, 'Berwick in the Reign of Elizabeth', EHR, xlv (1931), pp. 79-88. P.C. Waite erroneously suggests that the loss of Berwick was a disaster for Berwickshire's trade, The Land of Britain, xiv, p. 18.

peace', to facilitate the cross-border trade and keep the harbour open for
supplies from elsewhere.⁴⁴

The Scots who supplied Berwick were known as the 'victualling Scots' for the garrison men preferred their fresh produce to the unappetizing victuals sent from the south of England. When grain was in short supply in 1551 the Scots probably provided some, although the Berwick merchants⁴⁵ were only supposed to supply the garrison from Newcastle or the south. The Scots traded freely in Berwick during the 1550s, but in September 1559 the pro-French Scottish administration tried to ban the trade, in hope that the Scots merchants would supply French garrisons instead and not give intelligence to England. This effort was in vain, however, 'for the Scots come as usual on market day' and Scottish ships brought wheat and⁴⁶ fish.

The trade into Berwick from the Merse was lawfully reciprocated when there was a dearth in Scotland and a surplus in the town. However this was open to abuse as Valentine Brown, the treasurer of Berwick, was reprimanded in 1561 for selling grain to the Scots when there was no surplus. The Berwick burgesses also traded with the Scots in skins, victual, fish and even the salmon fishings in the Tweed, but they had to⁴⁷ adhere to strict trading regulations. For instance a burgess was fined twenty shillings in 1564 and warded for buying 'salmonds of the Scotts in

44. L & P. Hen VIII, xviii, pt 1 nos 804, 200. A Scottish charter was even registered in the Guild Book of Berwick in 1548 between John Edington of that ilk and George Cockburn of the Woodhead. BR0 B1/1 f. 2.

45. APC, iii, p. 206. CPR, 1550-3, p. 106; 1553, p. 408. HMC, Talbot, p. 351 (P. f. 319).

46. CSP For, 1560-1, no 548. CSP Scot, i, no 544. CSP Spain, x, p. 180. Sadler Papers, i, p. 440.

47. BR0 B1/1 ff. 113, 114. B1/3 f. 40. B1/4 f. 39. CBP, i, no 807; ii, no 77. CSP For, 1561-2, nos 654, 939; 1566-8, no 1677; 1575-7, no 1432.

kypper time'. Trade continued undaunted until the autumn of 1565 when Anglo-Scottish friction struck at the heart of the Merse - Berwick supply route. The earl of Bothwell and his men attacked some of the victualling Scots travelling to Berwick market in December 1565, but the Berwick garrison fought them off and an international row erupted. This temporary curtailment in supplies led to a shortage of flesh in the town, but the trade was fully resumed in 1566, as the Scots were noted for 'attending⁴⁸ the market without the new works' and buying a lot of bread. There were no other prolonged disruptions to this trade after 1565-6, with the exception of short bans during outbreaks of plague in 1579 and 1597. The supplies were particularly welcome in Berwick in the 1590s when a series of bad harvests threatened the survival of the 900 strong garrison. John Carey⁴⁹ praised

many Scottish men, our good neighbours in the Merse,
who supply our markets with beef, mutton, veal, pork
and all kind of pullyn..... without which we could
not live.

As the dearth and the threat of starvation increased, Carey had good reason to be grateful for good relations between the East Marches as the official victualler proved incompetent and⁵⁰

if Lord Hume would but keep our neighbours of the Merse
from victualling us, wee ned no other seidge, for we
should have to starve or leave the town.

There is evidence that the garrison were on good enough terms with the

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48. BRO C1/1 f. 2. CSP For, 1564-5 nos 1462, 1589, 1625, 1665, 1720; 1566-8 nos 9, 45, 525, 1017, 2133.
49. CBP, ii, nos 77, 743 (2). CSP For, 1575-7, no 1432. HMC, Salisbury, xi, pp. 139-40; xv, p. 351. RPC, iii, p. 229. Raine, ND, pp. 145-54. The Union of the Crowns severely affected Berwick's trade as the garrison was disbanded. The burgesses petitioned the King for a new charter to give the town back its independence and received one in 1604.
50. CBP, ii, no 178.

inhabitants of the Scottish East March to venture there in person to search for victuals, instead of always relying on the Scots coming to their market. In 1572 the marshall of Berwick was listed as a debtor in the inventory of William Craw of Flemington-Fluris for fifteen bolls of oats worth £12 Scots.⁵¹ Ordinary Berwick burgesses also traded in the Merse in 1600. Their merchandising was unconnected to garrison victualling as 'furnishing' was mentioned in the inventories of Simon Redpath of Angelrow's wife and that of David Home of Ninewells.⁵²

Cross-border trade was generally beneficial to the local people on both sides of the frontier, but there was much confusion and argument about whether the coinage for these transactions should be Scottish or English. The wardens argued about the uneven exchange rate of sterling and the falling £ Scots at days of truce and the Berwick merchants perennially complained about the Scots taking too much English coinage from their market, as this created a shortage and forced them to transact their business in Scottish money or even barrels of salmon.⁵³ The Scots certainly valued having the stronger sterling and seem to have used it for settling Border bills. Inflation could easily have outstripped the agreed value of the goods in £ Scots and these bills often took years to settle thus making sterling preferable.⁵⁴ An additional problem with the Border coinage was the incidence of local forgery. Rowland Forster of Lucker had a man in his household to 'coin hardheads' in 1568, but this attempt failed. However others succeeded, as John Carr of Hetton was caught with

51. CC8/8/2 f. 177.

52. CC8/8/40 ff. 36-7, 42-4.

53. BRO B1/1 f. 105. B1/4 f. 85. C1/2 ff. 147, 149. CSP For, 1561-2, no 939. CSP Scot, i, no 1035. See chapter three p. 245.

54. CC8/8/1 f. 368 CC8/8/10 ff. 131-3 CC8/8/29 ff. 8-9. SC62/2/1 SC62/2/5.

counterfeit coin in 1586. The proximity of the realms and the use of both
 55
 currencies was evidently an irresistible opportunity for forgery.

Cross-border trade was not confined to Berwick-upon-Tweed, although the
 burgesses of the town and the governments of both countries wished it to
 be. For instance the custom duty on a boll of victual going from Berwick
 to Scotland was four shillings per boll. Therefore it was not surprising
 56
 that the burgesses grumbled about customs evasion in 1568

yt is of greate hurtt to this comon welthe and hindrance
 to the inhabitants of the same that all or the amoste
 parte of the corne grayne and sundry other comodities..
 beyond tyll water ys sold and conveyed into the Realme
 of Scotland all alonge the frontyers.....

The wardens were supposed to prevent this smuggling, but corruption and
 ignorance of the geography of the country made prevention ineffective.
 Goods were smuggled in both directions across the landward frontier or
 57
 through the small ports at Alnmouth or Holy Island. Regent Morton was so
 perturbed by this illicit trade that he appointed a 'customer and
 searcher' for Roxburghshire, Selkirkshire and Berwickshire in 1574, to
 seek out English goods entering Scotland and gave him the power to demand
 customs duty. Many traders would have still remained elusive, but some
 unfortunate English merchants were arrested at Kelso in 1574 and had their
 goods confiscated. The grain trade must have continued as there was a
 58
 curious shortage in 1577, despite there being a good harvest locally.

55. GD16/37/69. CSP Dom Add, 1566-79, p. 182. CSP For, 1575-7, nos
 665, 670. Lythe, op cit., p. 99.

56. BR0 C1/1/ f. 2. CSP For, 1562, no 289. SS, xxxviii, p. 256n.

57. BL Cotton MS, Caligula, C, iii, f. 111. CSP For, 1575-7, no 931.
 RPC, vi, p. 791. NCH, xiv, p. 332n. It was an accident of geography
 that Robert Logan of Restalrig held the rights to the 'customs of
 Berwick Castle', dating from when it was a Scottish possession. He
 kept up his claim in charters, but this would not have been effective
 in practical terms.

58. CSP Scot, i, no 409. RSS, vi, 2359. There were abortive attempts to
 legislate against this in England. APC, ix, pp. 288-9, 299. G.
 Elton, The Parliament of England, p. 248.

The Scottish merchants who made illicit use of the natural harbours and bays of the Northumbrian coast were welcomed by the local gentry, much to the annoyance of the Berwick guild as they were supposed to have the monopoly of trade between 'Coquet and Tweed'.⁵⁹ The gentry had a well-established supply line to deliver grain to Holy Island to be uplifted by a passing Scottish merchant ship. In return they probably received luxury goods or money. The Scottish merchants traded with other people as well, for Matthew Forster in Bamburgh owed James Coldone,⁶⁰ burgess of Edinburgh £4-10s for a hogshead of wine in 1589. The numerous attempts to legislate against the gentry's trade with Scotland were ineffective, but one suggestion to make Holy Island a satellite port of Berwick would have been purposeful if it had been adopted, for this was⁶¹ the principal source of illicit sea trade.

Horses were an integral part of the landward smuggling network, again in spite of much legislation. This trade was two-way until the civil wars of the late 1560s in Scotland, which created a domestic shortage of horses and made the direction of trade one-way for the rest of the sixteenth⁶² century. The Borderers were renowned horsemen and a smuggled or stolen horse was highly prized.⁶³ Andrew Ker of Cessford and William Douglas of Bonjedward brawled over two stolen English horses at a day of truce in 1555 and in 1600 Steven Brounfield of Greenlawdean and Sir Alexander Home of Manderston also argued about whether a horse had been stolen or

59. CSP For, 1563, no 224; 1575-7, no 1432. S. J. Watts, *op cit.*, p. 51.

60. CBP, i, nos 825, 841. CSP For, 1575-7, no 931. SS, cxii, p. 147.

61. APC, xiv, p. 245; xxv, p. 153; xxxii, pp. 400, 431-3. CSP Dom Add, 1547-65, p. 421.

62. SP59/20 ff. 196-7. APC, iii, p. 191. CBP, i, no 104. Stat, 23 Hen VIII, c. 16; 1 Eliz, c. 7. CPR, 1547-8, p. 247.

63. In fact their horsemanship was even valued by Sir Francis Walsingham, who wanted Scottish and English Borderers recruited to serve in the south in 1581. HMC, Hastings, p. 17.

64
 purchased. A laird wishing to buy a horse from England through official channels had first to acquire a placard from the English privy council. This entailed a long and complicated procedure, which made the placards highly sought after. It helped if the applicant was on friendly terms with England, but this did not make the process any speedier. The sixth Lord Home took seven months in 1596, even though he had previously been granted a placard in 1590. Thomas Cranston of Morriston must have
 65
 experienced a long wait in 1588 as well.

The placard system was, like any other bureaucracy, open to abuse by devious persons. William Selby of Twizel, junior, complained about this in 1601, saying that 75% of Scottish horses came from England because the placards were never surrendered at the time of purchase, allowing sixty horses to be sold with a 'placquett' instead of the official maximum of two. Selby recommended that the placards should be recalled after two months had elapsed to prevent abuse and he hoped that this would bring local prices down. Scottish pressure on the English horse market had led
 66
 to sharp increases that reportedly denied horses to all but the gentry. The Scots sometimes travelled to fairs in Yorkshire to purchase horses or sent an English middleman to buy them on their behalf. Sir Robert Ker of Cessford decided to go to Yorkshire in person, during June 1597, but he had to disguise himself as a servant for he was then one of the most wanted Scottish pledges. He was accompanied by two Englishmen for good camouflage and purchased two horses for £55, eluding all trouble. When

64. LAMB MS 3194 f. 99. RPC, vi, pp. 150-1.

65. CSP Scot, x, no 464 (p. 381); xii, nos 141, 172, 231, 286. HMC, Salisbury, iii, p. 319.

66. CBP, ii, no 1368.

the English Border officials found out they were furious, but the episode⁶⁷ clearly demonstrated how easily a Scot could travel to Yorkshire fairs.

English gentlemen were also involved in the sale of horses to Scotland in contradiction to the law forbidding this, but they would not have wanted to miss out on the lucrative profits to be gained from this trade. Sir John Forster asked for a placard in 1568, to enable him to reward some of his Scottish informants with horses, but he probably just wanted to trade in horses. Forster's rival, Sir Cuthbert Collingwood, had a placard⁶⁸ in 1577 but he was later accused of selling horses to the Scots illegally.

The overall impression of cross-border trading from 1540-1603 was that much of it was illicit or at least unofficial on either the Scottish or English side of the Border, whether it concerned grain, meat or horses. This is not surprising in a frontier region where corrupt officials were deliberately blind or even actively involved in such trade. The lairds and gentlemen would certainly have profited from this trade, but there was one further opportunity for economic advancement in the area, namely the large settlement of Scots in the Eastern English Borders.

IV. The Scots in Northumberland.

The north Northumbrian and North Durham gentry found the settlement of Scots in their area agreeable, as they were prepared to lease land that few Englishmen dared occupy or for a higher rental than others could afford. The Scots were also useful craftsmen, colliers, shepherds and servants and they numbered between 2,500 - 3,000 in the East March alone

67. CBP, i, no 168; ii, nos 672, 764, 841.

68. CBP, i, no 601. CSP For, 1566-8. no 2151. Fraser, Douglas. iv. no 216.

in 1568, with another 200 in Berwick.⁶⁹ Scottish settlement in Northumberland was not a sudden occurrence as it was well advanced by 1500 and increased steadily throughout the sixteenth century. The strong Scottish presence was reflected in the local habit of calling some of the gentry who lived near the Border 'lairds', such as Strother of Kirknewton, Selby of Pawston, Morton of Murton and Clennell of Clennell.⁷⁰ The Scottish legacy persisted and was noted by Daniel Defoe in 1725, who contrasted a lack of English influence in Berwickshire with the Northumbrian 'abundance of Scotsmen, Scots customs, words, habits and usages....'⁷¹

The gentry were faced with a serious problem in 1536, for much of their land nearest the frontier was 'waste'. English tenants were not prepared to farm so near to the infamous Scottish reivers, so rather than have no revenue the gentry leased the land to Scots, who were less likely to lose their livestock.

the gentlemen of the country doe rather lette their lands to Scottes then to Englishmen for they will give more then an Englishe man can doe because there cattel shall goe quietlye without stealing, which an englishe manes shall hardley doe.

Lord Eure, the warden of the English Middle March in 1541, had actually encouraged Scottish craftsmen to settle in his March,⁷² but by 1568 Lord Hunsdon was bitterly complaining about the numbers of Scots in his East

69. HMC, Salisbury, i, p. 374.

70. GD40/2/9/85. SP15/32/76. SP59/34 ff. 262-8. CBP, ii, no 77. RPC, vi, p. 408.

71. D. Defoe, A Tour Through The Whole Island of Great Britain, pp. 563-4. G. Donaldson, 'Foundations of Anglo-Scottish Union,' in Bindoff, Hurstfield and Williams, eds, Elizabethan Government and Society, p. 312.

72. SP59/20 ff. 196-7. Hamilton Papers, i, pp. 120-1.

March. Hunsdon noted that some of the towns were 100% Scottish and that all the late Sir Ralph Gray of Chillingham's tenants were Scottish, none of whom was a denizen.⁷³

There were many calls for the wardens to remove the Scots from their Marches, but the trend of Scottish settlement in the area proved to be irreversible. Hunsdon made many futile attempts to evict them before he relaxed his anti-Scottish stance in 1587. He then thought he should allow 'sufficient necessarie men as colliours, fysshers, heardes and sheappards' to remain.⁷⁴ He had finally recognized the economic necessity of having Scots in his March, but he still had some reservations about the risk of their collusion with reivers. The gentry refused to evict Scottish tenants as they were a good source of income in an economically backward area of England and the Scots also remained entrenched in Berwick. The gentry's financial necessity was never appreciated by outsiders like Lord Hunsdon, but even if they had gone through the correct channels to have their Scottish tenants licensed by the warden, Hunsdon would have only refused.⁷⁵

The gentry who held land in North Durham had mostly Scottish tenants and servants. In 1593 a survey of thirty-seven townships showed there to be 247 resident Scots, only one of whom was a denizen. Sir John Selby of Twizel had no English tenants, but had eight Scottish cottagers and four Scottish servants. Robert Clavering of Callaly also had no Englishmen

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73. CSP For, 1566-8, nos 2015, 2524. L & P. Hen VIII, x, no 1260. HMC, Salisbury, i, pp. 374, 397. Another report estimated there to only be 443 Scots in the East March, so Hunsdon may have been exaggerating.
74. CBP, i, no 571; ii, no 881. CSP For, 1575-7, no 554. L & P. Hen VIII, xviii, pt 1, no 800; pt 2, no 540. CSP Scot, vii, no 483.
75. SP59/17 ff. 144-5. SP59/33 ff. 82-3. BR0 C1/1 ff. 44, 114. C1/3. CSP Scot, vii, no 483. See chapter three pp. 252-54 and table three.

present at Tillmouth, but he had six Scots tenants and three Scottish servants. The irony of this report was that the Queen herself had fifteen Scottish cottagers at Buckton, but the fervently loyal Sir William Reed⁷⁶ alone refused to lease his land to Scots.

The lack of denizen Scots worried English officialdom, but the majority of the Scots probably felt like a Scot who⁷⁷

having lived from his infancy in England
we knew no other but he was naturalized
after the manner of the Border.

There was one laird's son who became a denizen of England, but this was because he was a committed Anglophile. Sandy Pringle, a younger son of the laird of Torwoodlee, bore no grudge towards England despite the untimely death of his father at Flodden. During the 1540s he and many of his Pringle kinsmen spied for England, but he was initially forced into this activity to save the life of a kinsman. However, he then went completely over to the English side and accepted monastic grants and denizenship from a grateful Henry VIII. This was regarded as intentional treachery, instead of Border craftiness, by his fellow Scots who then ostracized him. Sandy therefore had to settle far away from the Border at Fernacres, near⁷⁸ Newcastle.

The Scots were therefore well-established in Northumberland and North Durham by 1603 and welcomed by all, with the exception of the Border officials. Their usefulness is well demonstrated in the inventory of Luke Ogle of Eglington, which listed three suspiciously Scottish sounding

76. SP15/32/76.

77. HMC, Salisbury, vii, p. 240.

78. APC, ii, p. 222. CPR, 1547-8, p. 319; 1548-9, p. 81; 1549-51, p. 293. Hamilton Papers, ii, pp. 38-41. L & P. Hen VIII, xiv, pt 1, no 723; xviii, pt 1, nos 58, 978. RSS, iii, 841. See chapter one pp. 92-93.

creditors called Davidson, Dickson and Brounfield. They were probably⁷⁹ craftsmen or servants resident in the locality. The welcome extended to these Scotsmen was also reflected in personal friendships across the Border.

V. Unofficial Cross-Border Relations.

The lairds and gentlemen of the Eastern Borders were more sociable across the frontier than has previously been realized. The Tweed was no real barrier, as it could be forded as low as Norham. The Border was therefore an artificial division where friendship was concerned, for these landed men had shared interests and pleasures, but it could be recognized when someone need asylum in the opposite realm. The lairds and gentlemen had a good knowledge of their opposite realm's geography, which helped socializing and was beneficial when chasing stolen goods. However, they were not officially supposed to have such knowledge as trysting between Scotsmen and Englishmen was strictly against Border law, but this along with most Border law was flouted throughout the sixteenth century. Loyal Scots disapproved of trysting in 1550, because of the danger of⁸⁰ intelligence passing to England, but this seldom concerned the Borderers.

Friendships across the Border were based on familiarity, shared values, neighbourliness, marriage and kinship. The Forsters of Adderstone, Bamburgh and Lucker were 'familiar' with Scottish reivers from at least 1559 onwards. James Ormiston of that Ilk wrote to them in 1559 asking if he should thresh his corn and put away his goods, in case an invading English army should destroy them. A dispersal of intelligence of

79. DPRW 1596 (2).

80. CBP, ii, no 129. CSP For, 1566-8, no 525. The Complaynt of Scotland, ed., A.M. Stewart, STS, (1979), pp. 84-5. See map three.

this kind would have been treasonable, yet seems to have been acceptable
 amongst friendly Borderers.⁸¹ Sir John Forster kept up his familiarity
 with Scottish thieves throughout his long career as warden of the Middle
 March, probably by bribery, as his livestock near the Border were known to

feede quyetlye and safelye there. And if any
 other parson put in his cattell and suffer them
 to remayne there all night, are they not by
 Scottishe men taken away before the morninge.

When Forster was dismissed from the wardenship he suffered a dramatic loss
 of prestige and therefore did not bother to keep up his association with
 the Scots. Some of his sheep were promptly stolen and a gang of thirty
 Scots came to Bamburgh Castle to attack him, but 'his lady gott the
 chamber doore put to and bolted'.⁸²

The Selbies of Twizel were on friendly terms with many Scottish lairds,
 including the Kers of Ferniehirst and the Homes of Huttonhall, Manderston
 and Wedderburn. In 1581 they arranged a meeting by calling across the
 river Tweed, which was probably their usual method of trysting.⁸³ The
 Selbies' association with Scots went back to the early sixteenth century
 and in 1540 John Selby of Branxton was noted for being too 'familiar with
 Scotts'. His continued friendship with the Scots led to him being
 temporarily dismissed from the office of gentleman porter of Berwick in
 1556. The English privy council had strongly disapproved of his eldest
 son's marriage to Margaret Douglas, an illegitimate daughter of Sir George
 Douglas of Pittendreich, but he was reinstated when an investigation found

81. CSP For, 1559-60, no 216. Sadler Papers, i, pp. 559-60.

82. SP59/32 ff. 4-11. STAC5 F2/34. CBP, i, no 535; ii, nos 763, 815.
 CSP For, 1566-8, no 2497. CSP Scot, iv, no 32. L & P. Hen VIII,
 xviii, pt 1 no 800.

83. CBP, i, nos 104, 134, 258, 285. CSP Dom Add, 1580-1625, p. 368.
 HMC, Salisbury, iii, p. 100. Godscroft, De Familia, p. 37.

no threat to Berwick's security in this marriage. Margaret Douglas had actually been born in Berwick and was allowed to keep her father's name as⁸⁴ she

resembled much his other children and carryed ever a more then ordinary kindness to the name of Douglas and which hir familiars wald noway refuse hir surname of Douglas.

The Selbies and Douglasses remained on good terms for Sir John recommended⁸⁵ his kinsman Mr George Douglas to Walsingham in 1582.

There were other cross-border marriages between the families of lairds and gentlemen, again in open defiance of Border law which maintained that it was March treason to marry a Scot. These marriages were more numerous in the Western Borders, but there were at least four examples in the Eastern Borders. A Forster married a Home; a Selby married a Rutherford; a daughter of Thomas Collingwood of Great Ryle married a Hall and Thomas Selby, a younger son of Biddlestone, married a daughter of Rutherford of⁸⁶ Littleheuch.

The Grays of Chillingham had no marriage links across the Border, but they were friendly with the sixth Lord Home, who stayed at Chillingham in 1602, on his return journey from being James VI's ambassador in France,⁸⁷ and may have stayed there on other unrecorded occasions. The Grays also had connections with that often exiled Scot, the master of Gray. He stayed at Chillingham in 1592 and 1600 respecting the fact that they were

84. BL Cotton MS, Caligula, B, vi, 2 f. 519. NRAS 2177/2690 p. 140. NLS ADV MS 31.2.1. LAMB MS 3194 f. 241. APC, v, p. 342. HMC, Talbot, p. 45. See chapter two pp. 180-81.

85. CBP, i, no 134.

86. SP59/31 ff. 35-7. BL Cotton MS, Caligula, C, iii, f. 120. CBP, i, no 893; ii, nos 211, 746 (p. 392). CSP Dom Add, 1580-1625, p. 335. NCH, xiv, pp. 545-6.

87. CBP, ii, no 1505.

'both of one name and arms' and he preferred any of the Northumbrian Grays⁸⁸ to 'any cousin german I have within Scotland who is not a Gray'.

Ralph Gray of Chillingham was also a friend of Sir Robert Ker of Cessford, but the 'kindness' between them was seen as 'a bad example to the country', by the supercilious Border officials. Their friendship was just another example of the disregard the local population had for the international frontier.⁸⁹ Cessford seems to have been able to travel through the English East March in 1595 without being challenged by the warden or soldiers of the Berwick garrison. The local people, who were not Scots, were probably too scared to confront him or may have been silenced by his well-established black-mailing network. The gentry seem to have chosen to be on friendly terms with him, either for genuine reasons of amity or simply to protect their property. Cessford was known to have stayed with the Collingwoods of Etal and to have drunk with Selby of Pawston in 1595.⁹⁰

The lairds and gentlemen seem to have been generally familiar with the geography of the opposite side of the frontier to their own, whether through Border administration, reiving or social contacts. There were examples of these men crossing the Border for short visits to hunt or dine with one another, but these visits were rarely documented.⁹¹ However this does not mean that these cross-border visits were rare events. They probably occurred with frequency in the Borders, but would have been kept fairly secret so as not to alarm the panicky Border officials. D. Nobbs

88. CSP Scot, x, no 732; xiii, pt 2 no 572. HMC, Salisbury, x, pp. 368-9.

89. CBP, ii, no 881.

90. ibid, no 77.

91. CBP, ii, no 861. HMC, Salisbury, iii, p. 188. Fraser, Douglas, iv, no 177.

has suggested that the Scots were unable to maintain the rank and resources necessary to reciprocate English hospitality, but this is⁹² blatantly untrue of the Scottish Border lairds.

The most outstanding example of friendship and goodwill between the Marches occurred in October 1594, when the sixth Lord Home came into the English East March to buy hounds and hunt with his gentry friends. He stayed with Sir William Reed and dined with Sir John Forster at Alnwick, as well as hunting with the Forsters in Bamburghshire. The local gentry thought nothing amiss in this Anglo-Scottish hospitality, but John Carey typically refused to believe that Home's visit was purely sociable and accused the gentry of treachery. Carey's confusion is understandable for Home's visit coincided with the traditional start to the reiving season, but he also knew that relations were good between the East Marches and⁹³ therefore should not have been so alarmist. Carey was renowned for being overly apprehensive for in 1600 he called out the garrison to evict a group of carousing Scots at Carham, but they would have been too intoxicated to cause serious trouble. Carey's attitude is also ironical considering that the garrison men were known to cross the Border for sociable activities as well, for in 1588 some of their prominent members⁹⁴ dined with the earl of Bothwell at Coldingham.

Sporting challenges between the Borderers were not unknown and probably came about through mutual interest in hunting pursuits. Sir Robert Ker of Cessford was known to hunt with Thomas Percy, constable of Alnwick, and they arranged a hare coursing challenge during the winter of

92. D. Nobbs, England and Scotland, p. 24.

93. CBP, i, no 987.

94. CSP Scot, ix, no 467. HMC, Salisbury, x, pp. 47-8.

95

1597-8. Cessford confessed

for as God witness me I am so drowned with the
love of that game the care of all other things
is from me.

Cessford was obviously distracting himself from the pressures of the English Border commissioners to have him handed over as a pledge, but his love of hunting was respected by the English gentry in their accustomed defiance of Border law.

The familiarity and friendship across the Border was equally valued by fugitives seeking asylum from the justice of their respective countries. This was one of the rare occasions when the Border was recognized as an international boundary. In 1557 three supporters of the besieged Carrs of Ford made use of their mutual ancestry with the Kers and sheltered at the house of Robin Ker of Ancrum.⁹⁶ There were innumerable incidents like this in the Eastern Borders concerning both landed and non-landed men.⁹⁷

There were many Scottish exiles in the English Eastern Borders in the later sixteenth century. The lairds of Morriston and Ferniehirst were the best documented. Thomas Cranston of Morriston sought refuge in the East March in 1588 and during the 1590s; firstly for being involved in a feud and secondly for allying with the infamous earl of Bothwell. Walsingham allowed him to stay with the Selbies of Twizel in 1588, as they had mutual

95. HMC, Salisbury, vii, p. 452; viii, pp. 2-3, 498, 520-2. G.R. Batho, 'The Percies and Alnwick Castle', AA, xxxv, 4th ser, (1957), pp. 57-8.

96. LAMB MS 3195 f. 6. See chapter six, appendix no 28. The Kers of Ferniehirst and the Carrs of Ford were interestingly both left-handed, as the staircases at Ferniehirst and Ford Castles are both designed for sinistral defence on a dextrogyrous spiral.

97. CBP, i, no 285. CSP Dom Add, 1566-79, p. 340. CSP For, 1562, no 282. CSP Scot, x, nos, 464, 522, 545. Calderwood, History, iv, pp. 33, 72. Melville, Diary, pp. 119-120, 134.

kinsmen in the Douglasses. Cranston moved around the March and probably went back and forth across the Border to receive shelter from his Cranston kinsmen as well during his long 1590s exile.⁹⁸ Sir Thomas Ker of Ferniehirst was also forced into exile on two occasions in the 1570s and 1580s for reasons of political expediency. After an initial exile in the English Middle March, where he stayed with his friends Sir John Forster and George Heron of Chipchase, he went to France. Forster later regretted his kindness towards Ferniehirst, as he was probably involved with the death of his son-in-law, Sir Francis Russell, and never repaid the loans he had granted him.⁹⁹

Forster was still trying to recover this debt by way of a Border bill against Ferniehirst's widow in 1590, but his chances of recovering this debt were slender as Ferniehirst had left debts in France as well.¹⁰⁰ By 1590 the traditional system of gaining redress for cross-border grievances was very ineffective and it continued to decline. Many pledges were, admittedly, handed over in 1597 but few of them were redeemed by payment of the original bills by 1601. Some of the Northumbrian gentry therefore decided to circumvent the authority of the wardens of the Middle Marches and the Border commissioners to try and gain redress through private bonds between themselves and the reivers who owed them compensation.

The private bonds were first known in 1596, but the majority date from 1601-02. They were a desperate effort to stop further loss or damage to

98. CBP, ii, nos 487, 518, 620. CSP Scot, x, no 653; xi, nos 355, 366. HMC, Salisbury, iii, pp. 246, 250, 319. See chapter six appendix no 120 and chapter one pp. 59-60. Cranston's mother was a Douglas and Sir John Selby had married a Douglas.

99. CBP, i, nos 145, 155, 678. CSP For, 1572-4, nos 719, 791, 1564; 1575-7 no 1140. CSP Scot, iv, no 567. See chapter one pp. 105-06, 108-111.

100. GD40/6/1/1-4. RD1/20/1/1. See chapter three p. 258.

the gentry's property, as well as recovering the compensation awarded to them by the Border commissioners. The Delavals of Seaton Delaval made an agreement with the Frissells of Overton in June 1601, doubling the original £40 bill to £80 in return for the laird's freedom and the handing over of his brother Thomas as a new pledge.¹⁰¹ William Swinburne of Capheaton followed the Delavals' example and forced a bond of good behaviour out of the Ainslies of Falla in February 1602, by taking one of their sons hostage. Thomas Selby of Biddlestone was also successful in forcing a bond from Dand Elliot of Redheuch.¹⁰² Another similar bond was probably transacted between the Fenwicks and the Turnbells as lands in Scotland, near Hawick, were put up as surety and were amazingly registered in a Feet of Fine at the Court of Common Pleas in London in 1601.¹⁰³

A further indication of the breakdown in the traditional system of Border redress was evident in the mischievous younger sons of lairds and gentlemen who found themselves called before the Newcastle assizes in 1596 and 1601, instead of being summoned by the warden.¹⁰⁴ The weakness of these attempts and with the private bonds was that the culprits had to be apprehended. When the Selbies took James Young hostage in 1596 to extract a bond from him and his kinsmen their plan backfired, as Sir Robert Ker of Cessford rescued him before the document could be signed. In 1602 Thomas Carr of Ford had to hand back some of the Liddesdale men he had taken, because the wardens complained. These bonds were discouraged by the wardens for they protected the parties agreed in the document,¹⁰⁵ leaving

101. NRO 1DE/8/114 1DE/8/115. In Scotland the use of private bonds was declining. J. Wormald, Lords and Men in Scotland, p. 161.

102. NRO 1DE/8/143. ZSW6/16.

103. CP 25/2/192 MICH 43 & 44 Eliz.

104. NRO QS1/1 ff. 24, 31, 38. Robert Selby, a younger son of Biddlestone, was indicted for stealing Scottish cattle in 1596.

105. CBP, ii, nos 255, 321, 353. HMC, Salisbury, xii, p. 89.

their neighbours open to attack. These bonds enhance the overall impression of familiarity, in particular, between the landed men of the Eastern Borders, though the principal offenders were younger sons of Jedwater and Teviotdale lairds and not the actual lairds.

The years immediately before the Union of the Crowns witnessed a heightened interest in Scottish and Border affairs, so cross-border familiarity was highlighted. This did not necessarily mean that there had been a sudden increase in the long-established Border habit of trysting, it was only that it was receiving far more attention than usual. It still evoked the wrath of officials like John Carey, who persistently refused to believe that trysting could be harmless and complained of¹⁰⁶

too great familiarity and intercourse between our English and Scottish borders: the gentlemen of both countries crossing into either at their pleasure, feasting and making merry with their friends.

Carey had intentionally forgotten that Lord Home had been trysting like this since 1594 and Home was highly regarded by Elizabeth I, rather than scorned for his cross-border friendship.¹⁰⁷ It was probably only the fact that Elizabeth disapproved of anyone trying to see James VI without her permission that prompted Carey's disgust on this occasion, for Thomas Carr of Ford had visited James VI at Cessford's house of the Friars, near Kelso, in March 1601 without permission.¹⁰⁸

A friendship between Lord Home, as warden of the Scottish East March and Sir Robert Carey, as warden of the English Middle March, proved beneficial to the latter when he hurriedly journeyed north to break the news of Elizabeth's death to James VI in March 1603. After seeing the

106. CBP, ii, 1537.

107. CSP Scot, xi, no 26; xiii, pt 1 no 370; pt 2 no 854.

108. CBP, ii, no 1434. HMC, Salisbury, xii, pp. 11-12.

King, Carey lodged with Lord Home until James VI began his journey southwards on 5 April 1603.¹⁰⁹ The Scottish entourage stayed the first night at Lord Home's house of Dunglass and travelled onto Berwick the next day. James VI had already been presented with the keys of Berwick by William Selby of Twizel, on 27 March at Holyrood, and he knighted him in gratitude. James could now formerly enter the town. The guns that had welcomed him to Halidon Hill in 1588 were now fired again in greeting. Many people had gathered in Berwick to witness his entrance and James stayed there for two days surveying the fortifications and visiting the church several times. He left Berwick on Friday 6 April, knighting Ralph Gray of Chillingham as he went, near the Tweed bridge. Nicholas Forster of Bamburgh, the high sheriff of Northumberland, waited on the other side of the bridge to officially welcome him to England (as the liberties of Berwick were independent from the rest of the county). James made a detour on the next stage of his journey to honour Sir William Reed with a visit,¹¹⁰

who being blind with age, was so comforted with the presence and gracious speeches of the king that his spirits seemed..... to feele the warmth of youth stirre in his frost-nipt bloud.

James then rode thirty-seven miles to Sir Robert Carey's house at Widdrington in only four hours.

James reached London on 7 May 1603, but the lairds and gentlemen had accepted that a new era was upon them from the moment James left Edinburgh. They would henceforth, or so it seemed, be able to socialize without the scrutiny of the Berwick garrison or the wardens. The rapid

109. Carey, *Memoirs*, pp. 64-5.

110. Dalyell, *Fragments*, ii, pp. 58-9. T. Middleton, *A True Narration of the Entertainment of his Royall Maiestie, from the time of his departure from Edenbrough.*

anglicization of the greater lairds would also have made many lairds from outwith the Borders willing to meet their English gentry counterparts on a social basis for the first time.¹¹¹

Cross-border relations between the lairds and gentlemen of the Eastern Borders therefore varied from official administrative acquaintances to unofficial friendships. There were violent cross-border incidents that detracted from the good image of Border friendships, but they were spasmodic and should not be over-emphasized. The trade that took place across the frontier, in defiance both of temporary Scottish bans and customs collectors, proved how invisible the frontier could be when profit was the main criterion. The large numbers of Scots living and working in North Durham and north Northumberland were a good indication of the interdependency of the Borders. Lastly, the misunderstood friendships, marriages and general familiarity between the landed families of the Eastern Borders, demonstrate how peaceable and peace-making cross-border relations could be in an area renowned more for its endemic violence, than for its neighbourliness.

111. Some of the Scottish courtiers who accompanied James to London, such as Sir George Home, were so keen to anglicize that they enrolled at Gray's Inn. J. Forster, The Register of Admissions to Gray's Inn, p. 106.

CONCLUSION

The lairds and gentlemen of the Eastern Anglo-Scottish Borders, when compared and contrasted across the Border, show some interesting similarities and differences in social structure, wealth, education and culture, religious affiliation and disorders.

The status of the lairds cannot be easily identified, but they were landholders of a minimum acreage of fifty-two acres (two husbandlands) and ranged from meagre bonnet lairds to wealthy greater lairds. This gives some clarity to the confused middle order of sixteenth-century society in Scotland, but more research needs to be done on other Scottish localities to verify this stratification.

Kinship by marriage was an important factor of the lairds' strong kinship relations. Kin loyalties were disrupted by crown and court factionalism at the level of the greater lairds, but the Lords Home managed to revive their kindred loyalties in the 1590s after a disastrous decline in the 1570s and 1580s.

There was an emergence of the lairds in the Eastern Borders that was part of a national trend. Some of the greater lairds obtained parliamentary representation after 1587, but they had been making their presence felt before this, both in their localities and at the centre of Scottish government. They dominated the local and Border administration of the Eastern Borders, but progressed at court as well. Some of the greater lairds and their younger sons were outstandingly successful at court.

The politics of the Eastern Scottish Borderland were confused at times by outside influences. They created erratic allegiances amongst the lairds, but overall control of their locality was retained by the

lairds. The lairds were in the buffer zone of Anglo-Scottish politics during the 1540s and 1550s and they adroitly oscillated between English and French allegiance to gain maximum benefit. They later dallied with courtier factions from the 1560s to 1590s. The later courtier influences were slightly superficial in the locality, as the lairds never allowed it to totally dominate them. The direct crown interference from 1585 onwards was not unwelcome as the lairds had advanced sufficiently to influence their own locality from their offices and crown favour at the centre of government.

In the Eastern English Borders there was a cohesive gentry community from 1540-1603, rather than a county community. There was a definite 'rise' of the gentry in this community at the expense of the traditional power base of the Percy earls of Northumberland. Newly risen families, such as the Forsters, Collingwoods and Selbies became the leaders of the locality. They valued both their independence from the Percies and the lure of courtier patrons, making the seventh earl of Northumberland's attempts to revive his traditional following a lost cause. The absence of the majority of the local gentlemen from the earl's side during the Northern Rebellion vindicated the demise of the Percy influence and further boosted new men like Sir John Forster, who had remained loyal to the crown.

There were far more gentry families in north Northumberland and North Durham during 1540-1603 than has previously been acknowledged. These gentlemen were, overall, more upwardly mobile than the lairds. Kinship was strong amongst the gentry, but it was slightly less widespread than in Scotland as it was confined to blood relations and marriage links. As in the Scottish Borders the gentry were the core of local government.

However, the sheriffs were inefficient and open to partiality and the justices were overworked, though more effective than the sheriff. By holding local administrative offices the gentry arguably had control of their own locality. The rise of Sir John Forster was remarkable. He was the sole member of the local gentry to become a warden of an English March, but lesser appointments were obtained by the gentry in the administration of the militarized English Borders to the detriment of traditional Border defence.

The gentry community was greatly influenced by the crown and court, with the absence of a resident magnate. This influence was one-directional as the gentry did not hold any court appointments themselves. There were always local considerations to be taken into account alongside this interference from the centre of government as kinship, local alliances, rivalries and religious affiliations could be the instigator of tension in the locality. There was instability in many gentry alliances as no one courtier's clientage dominated, but there was one persistent alliance throughout 1540-1603, namely the gentry minority who still supported the Percies and the majority who opposed them. Sir John Forster was the focus of an intense courtier battle in the locality, which centred on his negligence as warden of the Middle March. Forster was undoubtedly corrupt, yet he kept the Middle March more peaceably than his successors during his thirty-five year term of office. He was the most powerful man in the community, with a widespread kindred, but the Grays of Chillingham were wealthier and the Selbies had the upper hand in Northumberland and Berwick. Control of the Eastern English Borders was therefore determined by a mixture of crown, courtier and local influences.

The lairds and gentlemen mostly prospered during 1540-1603 from the profits of land and agriculture. The dissolution of the monasteries in England and the secularization of Scottish religious houses, along with the leasing and feuing of crown and kirk lands revolutionized the land market in the Eastern Borders. The greater and middle lairds and gentlemen were the most successful recipients of these lands and this reverberated to their younger sons. Lairds' sons reaped particular benefit from monastic land as there was a greater density of monastic land in Southern Scotland, and lairds such as the Homes of Polwarth and Cowdenknowes gained significant upward mobility through possession of the priories of North Berwick and Eccles. The lairds also benefited from a more flexible credit system which could help them out of financial difficulties.

There was a noticeable contrast in the land management of the lairds and gentlemen, owing to the paternalism of the lairds towards their tenants in comparison with the profitable circumvention of Border tenure by the gentry. Border tenure was overwhelmingly ignored by the gentlemen, in flagrant contravention of the Border law. The Scots who lived in Northumberland were an important part of the gentry's unscrupulous land management and their conspiracy of silence about this tactic was indicative of their deceit.

The agriculture of the Eastern Borders was broadly similar on both sides of the frontier as conditions and yields were practically the same. The bulk of the lairds and gentlemen's income came from agriculture and land, but a few had access to alternative sources of income such as offices and coal mines. Nevertheless these sources were supplementary, rather than replacement income. None of the lairds and gentlemen made a

great fortune out of offices alone, but if they were granted lands, tithes, escheats or pensions in conjunction with their offices the rewards were considerable.

It is almost impossible to accurately gauge the wealth of the lairds and gentlemen, but a variety of sources help to produce a picture of their lifestyles, incomes and estates. Each stratum of the landed families seems to have enjoyed a broadly similar standard of living when compared across the Border. The lack of new housebuilding by the gentry is striking when compared to that of the lairds, who built despite having to pay taxes. The reasons behind this gap may partly be explained by the gentry's reticence to show affluence. They were probably concerned that conspicuous consumption would make the government review their exemption from taxation, but this incongruity in building work cannot be properly explained. The gentry did, however, undertake improvements to their existing properties that have previously been overlooked by historians preoccupied by the defensive argument against housebuilding. If defence had been the major factor against housebuilding in the Borders, then the lairds would have followed this example, but they were building on a wide scale with aesthetic consideration. The exact levels of wealth amongst the lairds and gentlemen remains an enigma, but they were mostly prosperous in an era of inflation and their income was broadly commensurate with their status.

The landed families of the Eastern Borders were not ignorant and backward in the sixteenth century. They were educated to a much higher level than had previously been recognized by those who persist in using the imagery of the area as an excessively violent and uncivilized frontier zone. The majority of the lairds and gentlemen were literate

and well educated, but the lairds attended universities at home and abroad in greater numbers than the gentry. David Home of Godscroft is an outstanding example of how educationally advanced some of the Border lairds were. He was not above using violence on occasion, but this was not untypical of landed society in the sixteenth century and no way detracts from using him as an example of how wrong the image of backwardness in the Borders can be. Literacy was also better than has previously been suggested, particularly in England where 100% of the gentry were literate by 1600, compared to 90-100% amongst the lairds by 1603.

The fortunes of younger sons of the lairds and gentlemen varied from the very successful Homes of Spott and North Berwick in Scotland, and Ralph Gray of Chillingham and Sir John Forster in England to the youngest sons of the lesser gentry and bonnet lairds who were forced to accept downward social mobility. The landed families' appreciation of culture was of a higher standard than expected in a frontier area. The accomplished poets, Ilderton of Ilderton and the Homes of Polwarth, stand out as being far removed from the false, but typical image of the Borderer as an uncultured cattle thief. Overall the view of backwardness in the Eastern Borders can be refuted, as the standards of education and culture were higher than expected. These standards were not high when compared to Renaissance Italy, but the lairds and gentlemen were certainly not unlearned.

The Reformation was established in the Eastern English Borders only after 1577 and recusancy was not punished until 1585. This was remarkable, but not surprising when the poor coverage of Protestant preachers in the area and the survival of Catholicism are considered.

Recusancy was an entrenched feature of the landed families and the government could not easily enforce conformity. Catholicism had never declined in the community and had thus survived, rather than be created anew through reconversion by seminary priests. In 1574 a majority of the gentry were still Catholic and by 1603 over 50% remained so, which would account for the poor spread of the Reformation in the locality.

In the Eastern Scottish Borders the Reformation made better progress, but the advancement of Protestantism was still not rapid. Recusancy was not the obstacle it proved to be across the Border, but there was lack of ministers in the years immediately following the Reformation. By 1601, however, there was a good coverage of parish ministers in the locality and the majority of the lairds were Protestant. The recusancy of the sixth Lord Home was exceptional in the Eastern Borders, but was not untypical of other members of the Scottish nobility.

There were equivalent amounts of disorder on both sides of the Border from 1540-1603. Feuding was commonplace, but the Borders should not be singled out as a particularly violent area, as other areas were more disturbed. Bloodfeuds could never be settled to the entire satisfaction of both parties, as their causes were frequently deep-rooted. Local rivalries were often the foundation of feuding situations, but they were easily manipulated by the crown or the court. Property disputes were largely localized power struggles, but a few were the result of courtier influences in the locality. Unstable alliances were typical in these disputes, unlike the unswerving support in the Heron and Carr, and the Ker and Scott bloodfeuds. The rare cross-border feuds were short-lived, owing to the generally good relations across the frontier in the Eastern Borders.

Domestic crime in the Eastern Borders was less common than feuding. Rebellions were more of a problem on the English side of the frontier. Petty theft and debts were not unexpected amongst the impoverished landed families, who were declining in spite of price inflation. The Scots seem to have been more severely punished for their crimes as the gentry rebels of 1569 were all pardoned, whilst two lairds were executed for rebellion. It seems anomalous that murders committed as part of a feud were forgiveable with no recourse to conventional justice, whilst a patricide was totally unacceptable to the lairds and gentlemen. The general level of violence and crime in the Eastern Borders was, nevertheless, not out of proportion from sixteenth-century landed society elsewhere in England and Scotland.

The official and unofficial cross-border relations of the Eastern Borders were interesting. The existence of debateable ground in the Eastern Borders was not as troublesome as the infamous territory in the Western Borders, but it did, by contrast, cause some local friction between the Middle March of Scotland and the East March of England. Relations between the two East Marches were particularly good after the difficulties of the 1540s, though there were minor frictions over fishings. There was a noticeable change in official attitudes towards Border incidents after 1586 and the incident at Norham Ford in 1597 vindicated the good relations between the lairds and gentlemen of the East Marches. These men appreciated that mediation was always better than revenge in Border affairs.

Localized cross-border trading has not been seriously researched before, but it was extensive and much of it was illegal and smuggled. The good relations between the East Marches undoubtedly helped this trade

and the lairds and gentlemen benefited financially as a result. The Middle March lairds and gentlemen could also ignore the Border when profit was the incentive. The secrecy behind this trade was similar to the gentry's conspiracy of silence about the number of Scots living in north Northumberland and North Durham. These Scots were valued by the gentry for their rentals, skills and services, and were in fact an essential part of the local English economy.

The lairds and gentlemen must have been fairly sociable. Though there is little documentation about this activity it would have contributed to the good relations between the East Marches, or was perhaps a result of this. The shared interests of landed men could not be denied by a mere political boundary. Therefore the cross-border friendships that were noticed before the Union of the Crowns were not just a flurry in anticipation of the Union, but were the result of longer and more established fraternization across the frontier, which stretched back to the 1550s, or earlier.